

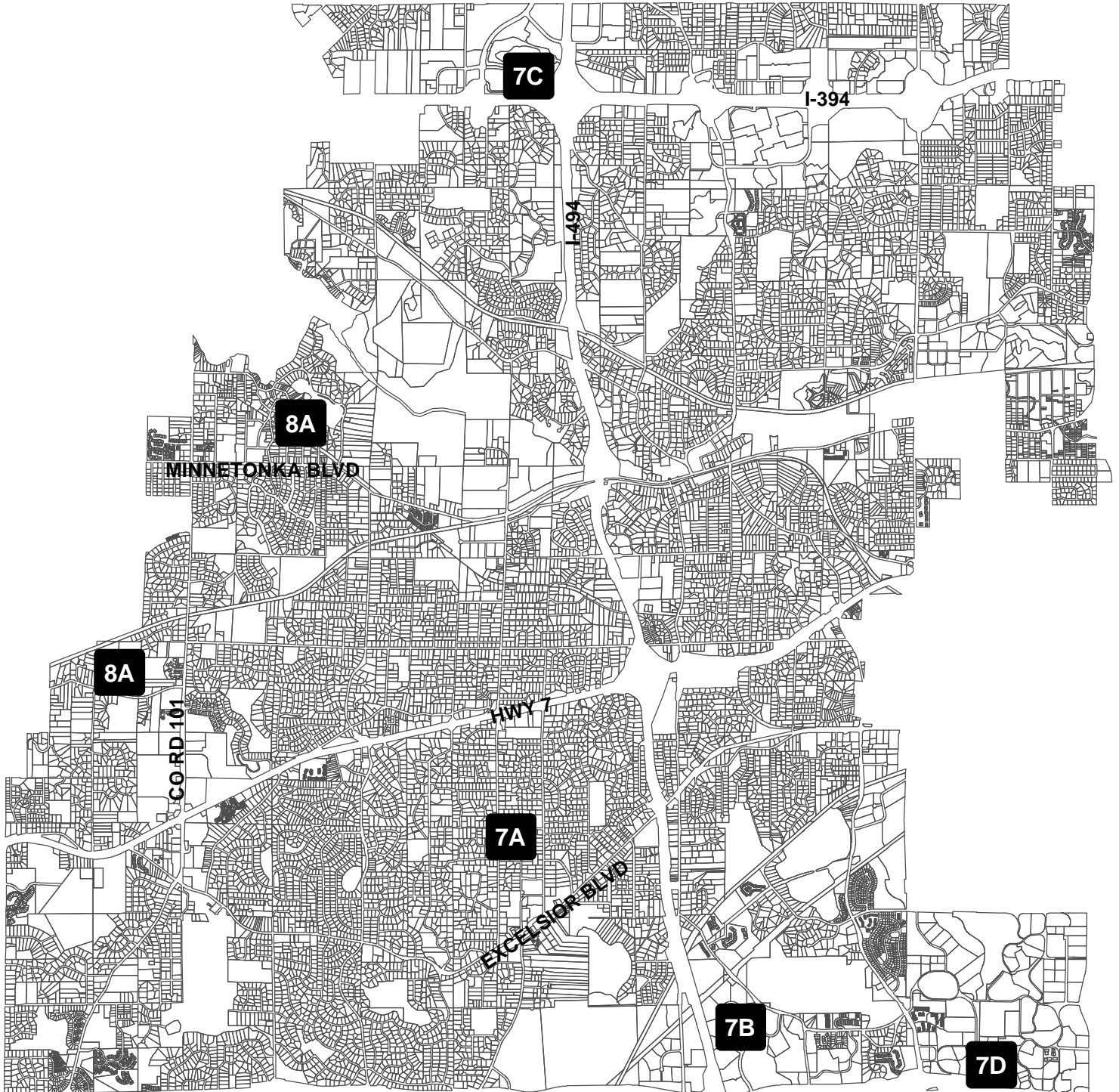


CITY OF  
**MINNETONKA**

# MINNETONKA PLANNING COMMISSION

July 6, 2023

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





**Planning Commission Agenda**  
**July 6, 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:** June 15, 2023
- 5. Report from Staff**
- 6. Report from Planning Commission Members**
- 7. Public Hearings: Consent Agenda Items**
  - A. Lot-behind-lot setback variance for a garage addition at 4813 Williston Road.  
  
Recommendation: Adopt the resolution approving the request (5 votes).
    - Final decision, subject to appeal
    - Project Planner: Ashley Cauley
  - B. Conditional use permit, with variance, for medical clinics at 12501 Whitewater Drive.  
  
Recommendation: Recommend the city council adopt the resolution approving the request (4 votes).
    - Recommendation to city council (July 17, 2023)
    - Project Planner: Bria Raines
  - C. Conditional use permit for telecommunication antennas and accessory equipment at 501 Carlson Parkway.  
  
Recommendation: Recommend the city council adopt the resolution approving the request (4 votes).
    - Recommendation to city council (July 17, 2023)
    - Project Planner: Susan Thomas



## **Planning Commission Agenda**

**July 6, 2023**

**Page 2**

- D. Conditional use permit for a telecommunications tower at 6120 Blue Circle Drive.

Recommendation: Recommend the city council adopt the resolution approving the request (4 votes).

- Recommendation to city council (July 17, 2023)
- Project Planner: Bria Raines

### **8. Public Hearings: Non-Consent Agenda Items**

- A. Front and side yard setback variances for a detached garage at 3169 Lake Shore Blvd.

Recommendation: Adopt the resolution approving the request (5 votes).

- Final decision, subject to appeal
- Project Planner: Ashley Cauley

- B. Items concerning Ridgewood Ponds, a 13-lot subdivision, at 18116 Ridgewood Road.

Recommendation: Recommend the city council adopt the ordinance and resolutions approving the proposal (4 votes).

- Recommendation to city council (July 17, 2023)
- Project Planner: Ashley Cauley

### **9. Adjournment**

**Notices**

1. Please call the planning division at (952) 939-8290 to confirm meeting dates as they are tentative and subject to change.
2. There following applications are tentatively schedule for the July 20, 2023 agenda.

<b>Project Description</b>	Cargill Parking Lot, SBP
<b>Project Location</b>	15407 McGinty Road West
<b>Assigned Staff</b>	Ashley Cauley
<b>Ward Councilmember</b>	Bradley Schaeppi, Ward 3

**Unapproved  
Minnetonka Planning Commission  
Minutes**

**June 15, 2023**

**1. Call to Order**

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

**2. Roll Call**

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

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

**3. Approval of Agenda**

***Waterman moved, second by Banks, to approve the agenda as submitted with additional comments provided in the change memo dated June 15, 2023.***

**4. Approval of Minutes: June 1, 2023**

***Henry moved, second by Waterman, to approve the June 1, 2023 meeting minutes as submitted.***

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

**5. Report from Staff**

Gordon briefed the commission on steps being taken to complete a climate action and adaptation plan and future sustainability public outreach events.

The next planning commission meeting is scheduled to be held on July 6, 2023.

**6. Report from Planning Commissioners**

Powers shared that the farmer's market held at the Ridgedale Commons Park was wonderful. Acting Chair Hanson agreed.

**7. Public Hearings: Consent Agenda**

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

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



**A. Interim use permit for TNT Fireworks at 4795 County Road 101.**

Recommend that the city council adopt the resolution approving an interim use permit for temporary fireworks sales by TNT Fireworks at 4795 County Road 101.

**B. Conditional use permit for an accessory dwelling unit at 1505 Traymore Road.**

Recommend that the city council adopt the resolution approving a conditional use permit for a detached-accessory-dwelling unit at 1505 Traymore Road.

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

**8. Public Hearings**

**A. Amendment to the sign plan for Crescent Ridge Corporate Center as it pertains to 10900 Wayzata Blvd.**

Acting Chair Hanson introduced the proposal and called for the staff report.

Thomas reported. She recommended the denial of the application based on the findings listed in the staff report.

David Ketcham, representing Piedmont Office Realty Trust, owner of 10900 Wayzata Blvd., applicant, stated that:

- He requested the proposal be approved.
- He believes in the spirit of the sign ordinance, but an additional sign would not be too much.
- Alerus would have a competitive disadvantage if it did not have a sign visible from the I-394 corridor.
- Alerus will not locate in Minnetonka if it does not have a sign visible from I-394. He did not want to lose a good corporate citizen like Alerus.

Jenny Coates, representing Piedmont Office Realty Trust, owner of 10900 Wayzata Blvd., applicant, stated that:

- The sign ordinance treats office buildings 200,000 square feet in size and those 3,000 square feet in size the same. Office buildings should have different sign ordinance regulations based on the building's size.
- There are only six other buildings in Minnetonka that are over 200,000 square feet in size.

Powers asked how many tenants were located in the building. Ms. Coates answered 23. She stated that previous potential tenants chose to locate in Plymouth and St. Louis Park due to not being able to have a sign on the exterior of the building.

Ms. Coates noted that there are smaller, non-office buildings along the I-394 corridor that have multiple signs. Alerus has made it clear that it would look at locating in another city if it could not have a sign on the outside of the building.

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

Powers stated that:

- He is in favor of allowing Alerus to have a sign on the outside of the building in either proposed location. He wants to find a way to make this happen without every tenant requesting a sign on the outside of the building.
- Alerus is a fine organization that is growing. He wants to support the growth of a business.
- Since the only sign on the building is “Siemens,” it appears that Siemens is the only tenant in the building.
- He appreciates the applicant’s presentation.

Banks stated that:

- He agrees with Powers. He felt that the 200,000-square-foot office building could support two exterior signs.
- He suggested looking at the sign ordinance to make the sign regulations in relation to the size of the building and the amount of square footage that the tenant occupies.
- He likes the aesthetic of the Alerus sign being located on the lower tier of the building.
- He appreciated the applicant’s presentation.
- He supports approving the applicant’s request to locate a sign on the outside of the building.

Waterman stated that:

- He struggled with this one. He understood the desire for a property owner to showcase a marquee tenant.
- The biggest issue for him is setting a precedent.
- The size of the large building and its location on I-394 are pushing him to find a second sign acceptable if it could be contingent on the building meeting a minimum size requirement and being located on I-394.

- He did not want to allow any tenant occupying at least 11 percent of a building to have an exterior sign on the building.

Henry stated:

- He was divided. He was open for a healthy debate on the issue.
- If this sign application is approved, then he anticipates the building west of it would apply for a second sign. The other buildings in Minnetonka would raise the same issue. The sign plan created for this building was created for good reasons.
- He wants Alerus to stay, but he is not a fan of an applicant threatening to leave if the applicant does not get what they want.
- He had no trouble finding Alerus when he did business with them. He hopes Alerus will stay in Minnetonka.
- One of the reasons Minnetonka is a premier city to do business in is because of the sign ordinance decreasing sign clutter.
- He did not want the approval of the application to create a snowball effect.
- The proposed sign would not detract from the building. He prefers the lower, proposed sign location two.
- He leaned toward approving the applicant's request, but he would do that with serious reservations.
- The staff does a thorough job, and the staff's recommendation is quite reasonable.

Acting Chair Hanson stated:

- He would like Alerus to stay in Minnetonka.
- There would be consequences for the action taken regarding the application.
- He agreed that there would be similar sign requests if the proposal were approved.
- He wants to support business growth and job opportunities but also less sign clutter.

Powers agreed with being aware of setting a precedent, but commissioners should not be afraid of setting an acceptable precedent.

Acting Chair Hanson stated:

- Minnetonka supports businesses.
- The applicant cares about the aesthetics of the building.
- The next property manager may not meet the unique conditions of this site, including the building's large size, its location on I-394 and the tenant occupying 11 percent of the building's square footage.



- He supports the applicant's request due to those standards being met.

Thomas recommended that if commissioners make a motion to approve the application, then a condition restricting the height of an exterior wall sign to a maximum of five feet be included in the resolution. The sign location preference should also be included in the motion.

Acting Chair Hanson prefers the proposed sign location option two, as illustrated in the staff report.

***Powers moved, second by Banks, to deny staff's recommendation denying the adoption of a resolution approving an amendment to the sign plan for Crescent Ridge Corporate Center at 10900 and 11100 Wayzata Blvd.***

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

Henry noted that the decision to approve the application is dependent on the building size being at least 200,000 square feet, the building's location on I-394, and the tenant being the second largest tenant of the building.

***Henry moved, second by Powers, to adopt a resolution approving an amendment to the sign plan for Crescent Ridge Corporate Center at 10900 and 11100 Wayzata Blvd. to allow an exterior wall sign no taller than five feet in height to be located in proposed option two as illustrated in the staff report.***

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

Acting Chair Hanson 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 at 2507 Sherwood Hills Road.**

Acting Chair Hanson introduced the proposal and called for the staff report.

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

Todd Frostad, 2507 Sherwood Hills Road, stated that:

- The proposal would enclose vehicles to make his property look nicer.
- The dormer and bonus space would make the addition look matched to the other 35-foot high peak.
- He is trying to create something aesthetically pleasing.

- The architectural style was selected to match the existing building.
- The bonus room space would not be used as an accessory dwelling unit.

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

Powers stated that:

- He agrees that the proposal would improve the applicant's ability to live on the property.
- The proposal would not impact the neighbors.
- He supports the proposal.

Waterman stated that:

- He concurs with Powers.
- The proposal would cause minimal tree loss and fit with the existing grade.
- It would not be too close to the neighbors. The site is very large.
- He looks forward to seeing it on its completion.

Banks stated that:

- He would prefer a beautiful garage that would complement the house, have less mass, and meet ordinance requirements without a conditional use permit.
- The structure would be visible from the street.
- He did not feel compelled to approve the proposal due to the sports court and bonus room.

Henry stated:

- A previous application reviewed by the commission proposed an accessory structure twice the size of the principal structure. This proposal's structure would be much smaller than the principal structure.
- Henry felt that there was a better way to design the proposal to better match the house and come closer to meeting ordinance regulations.

Gordon noted that the use of the space is not part of a conditional use permit application.

Acting Chair Hanson supports the staff's recommendation.

***Waterman moved, second by Powers, to recommend that the city council adopt the resolution approving a conditional use permit for a 1,400-square-foot-detached-accessory structure at 2507 Sherwood Hills Road.***

***Waterman, Henry, Powers and Hanson. Banks voted no. Maxwell and Sewall were absent. Motion carried.***

The city council is scheduled to review this item at its meeting scheduled to be held on June 26, 2023.

**9. Adjournment**

***Banks moved, second by Waterman, to adjourn the meeting at 8 p.m. Motion carried unanimously.***

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



# **Minnetonka Planning Commission Meeting**

## **Agenda Item 7**

Public Hearing: Consent Agenda

**MINNETONKA PLANNING COMMISSION**  
**July 6, 2023**

**Brief Description** Lot-behind-a-lot setback variance for an attached garage at 4813 Williston Road.

**Recommendation** Adopt the resolution approving the request.

**Background**

The property is roughly 49,600 sq. ft. in size and is a lot-behind-lot<sup>1</sup>. According to city records, the roughly 1,200 square foot, one-story, rambler-style house was constructed in 1954. The property does not currently have a garage.

In 2003, the city approved SUNRISE FARMS, a three-lot subdivision that divided two properties off of the subject property. The lots are accessed via a paved, private drive. Public utilities are located under the private drive. These utilities are protected by a drainage and utility easement.



Figure 1: 2022 aerial

**Proposal**

The property owner is requesting a setback variance, in order to construct an attached, 23.5-foot by 24-foot, garage. The garage requires a setback variance as:

	Required	Existing *	Proposed *
North setback	40 feet		155 feet
East setback	36 feet		80 feet
South setback	40 feet	60 feet	34 feet **
West setback	36 feet	85 feet	75 feet

\* rounded to the nearest 5 ft

\*\* Requires a variance

<sup>1</sup> By City Code Sec. 300.02, a "lot-behind-lot" is:

- a. A lot with substandard or no frontage on a public road right-of-way, where access to public road right-of-way is over the substandard lot frontage or by private easement, commonly called a "flag" or "neck" lot, or
- b. A lot with substandard frontage on a public street, where the only buildable area is directly behind an existing or potential house pad that fronts on a public street.

### Staff Analysis

The variance is reasonable as:

- There is currently no garage on the property.
- The proposed garage would not encroach into the adjacent easement.
- The existing home sits on the highest part of the property. Considerable grading would be required to construct a garage on the south side of the home without a variance. A driveway extension around the front of the home would be required to construct a garage on the north side of the house without a variance. This would increase the site's impervious surface and would impact two mature trees.
- The garage would be screened from Williston Road by topography.

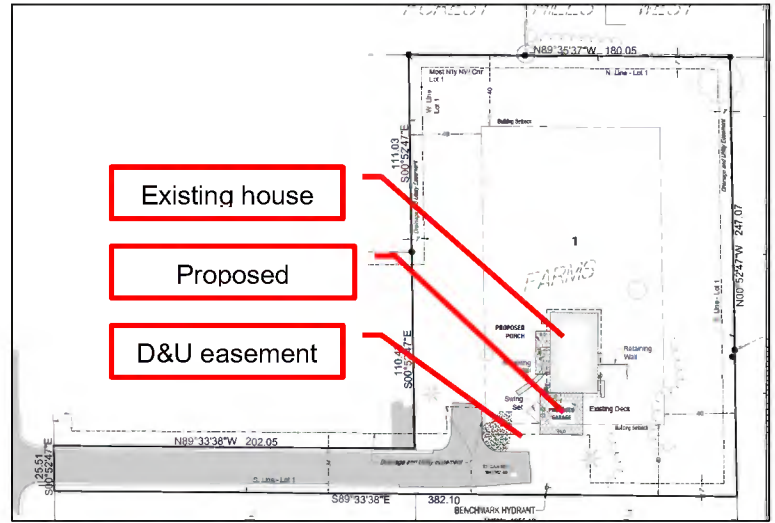


Figure 2: Proposal



Figure 3: Area south of the existing house and area of the proposed garage.



Figure 4: View of front yard.



Figure 5: View of slope down to Williston Road



**Staff Recommendation**

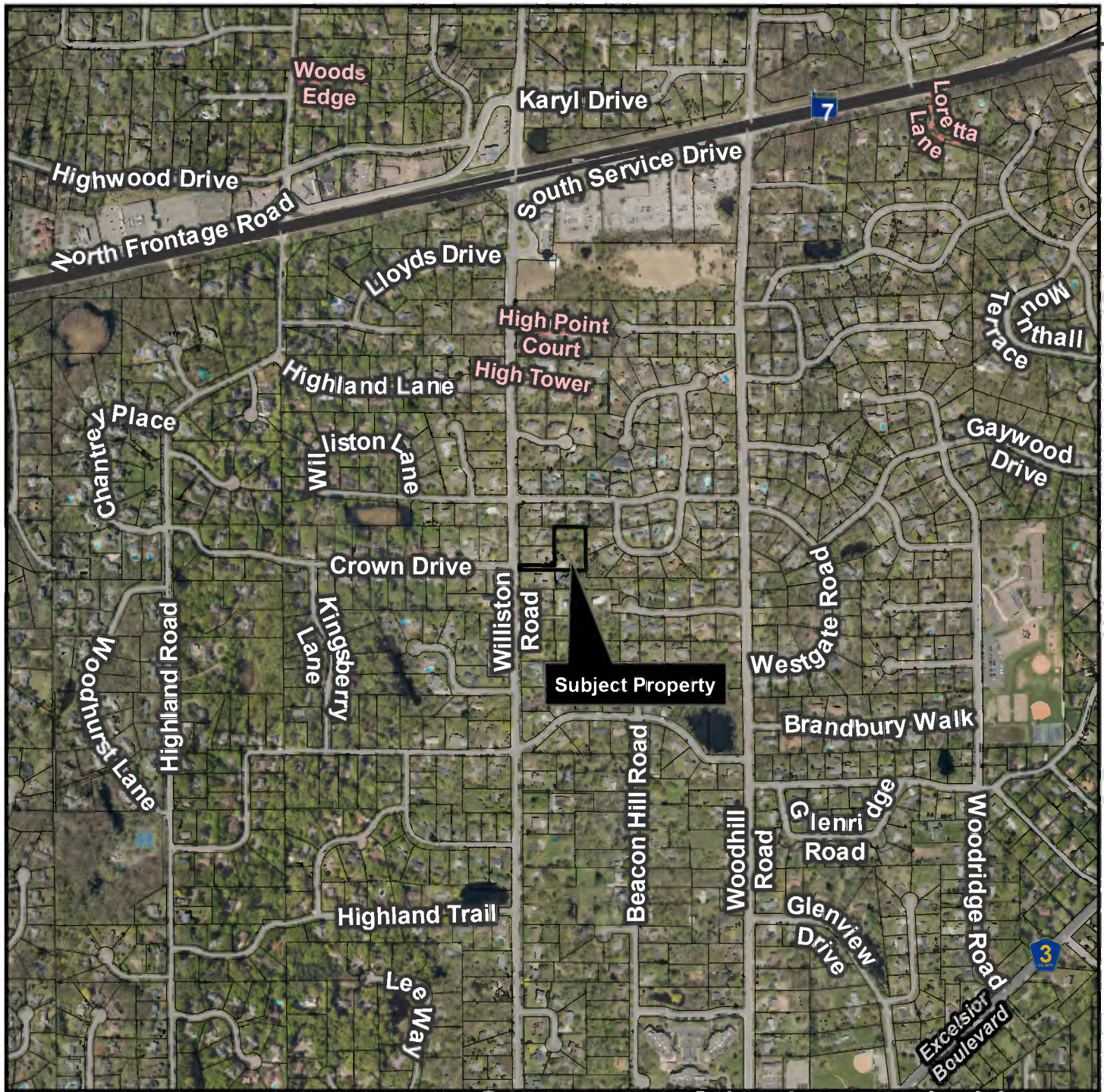
Adopt the resolution approving a lot-behind-a-lot setback variance for an attached garage at 4813 Williston Road.

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

### Supporting Information

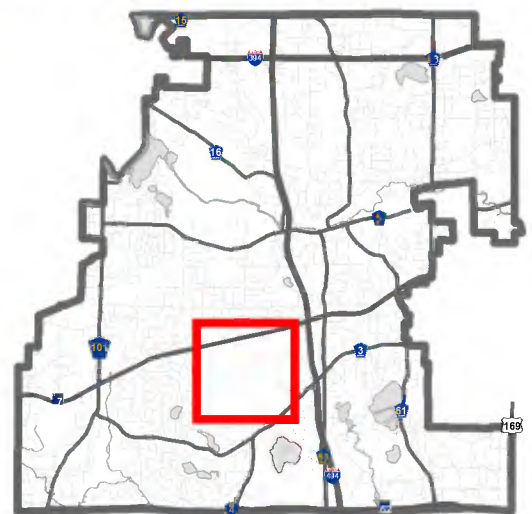
<b>Surrounding Land Uses</b>	All surrounding properties are zoned R-1, guided for low density residential and improved with single family homes.
<b>Planning</b>	Guide Plan designation: low density residential Zoning: R-1, low density residential
<b>Planning Commission Policy and easement</b>	<p>By planning commission policy, a 24-foot by 24-foot, two-car, garage is considered reasonable on any residential property. The initially submitted plans includes a larger garage that encroached into the utility easement.</p> <p>Staff briefly explored an opportunity to vacate a portion of the easement to allow for a larger garage. However, the width is necessary for repair, maintenance or replacement of the utilities at their current depth within the easement. As such, staff directed the applicant to remove the structure's foundation from the easement.</p>
<b>Variance Standard</b>	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. (City Code §300.07)
<b>Natural Resources</b>	Best management practices must be followed during the course of site preparation and construction activities. This would include installation and maintenance erosion control fencing
<b>Appeals</b>	Any person aggrieved by the planning commission's decision about the requested variances may appeal such decision to the city council. A written appeal must be submitted to the planning staff within ten days of the date of the decision.
<b>Neighborhood Comments</b>	The city sent notices to 50 area property owners and has not received any comments.
<b>Deadline for Decision</b>	Waived





**Location Map**

Project: Peterson Residence  
 Address: 4813 Williston Rd





## PRACTICAL DIFFICULTIES

**Describe why the proposed use is reasonable:** Currently the home does not have a garage on the property. My desire is to add an attached garage on the south side of the house as it is the best location due to configuration of the existing shared driveway and access into the house thru the south facing service door. All the bedrooms are on the north side of the house making the addition of an attached garage on the north side of the house impossible.

**Describe circumstances unique to the property; why the need for variance was not caused by the property owner; and why the need is not solely based on economic considerations:** The addition of the garage will be part of a general update to the entire exterior of the home, which will greatly improve the overall "curb appeal" of the home, and be a significant aesthetic improve for all neighbors in the area. There would also be an addition of a front 24' X 8' porch as part of this project.

Building a detached garage would be challenging due to positioning of the house on the property and getting access to the detached garage. To access a detached garage much of the front yard would have to become driveway and would require the removal of a mature tree, and a new expensive lawn and sprinkler system that was recently installed. Additionally, the detached garage would be in the middle of the front yard and would be more visually impactful and intrusive to neighbors of our shared driveway than the attached garage.

This variance request is not driven by economic considerations as building a detached garage would be a fraction of the cost. It's just the best solution to adding a garage.

**Describe why the variance would not alter the essential character of the neighborhood:** As stated above, granting this variance would be the best option for the character of the neighborhood. If the only option is to build a detached garage it will be way more intrusive and aesthetically displeasing for the neighbors. Additionally, if my only option is to build a detached garage, I would not invest the money into updating the entire exterior of the existing home. I have discussed with all neighbors, and they are all in favor of my plan.















**LEGAL DESCRIPTION:**  
(per Doc. No. A10213386)

That part of Lot 1, Block 1, Sunrise Farms, Hennepin County, Minnesota; described as follows: Commencing at the most Northerly Northwest corner of said Lot 1; thence South 00 degrees 52 minutes 47 seconds East, assumed bearing, along the West line of said Lot 1 a distance of 111.03 feet to a corner of said Lot 1; thence continue South 00 degrees 52 minutes 47 seconds East along the Southerly extension of said West line of Lot 1 a distance of 110.43 feet; thence North 89 degrees 33 minutes 38 seconds West a distance of 202.05 feet to the most Westerly line of said Lot 1; thence South 00 degrees 52 minutes 47 seconds East along said most Westerly line a distance of 25.51 feet to the Southwest corner of said Lot 1; thence South 89 degrees 33 minutes 38 seconds East along the South line of said Lot 1 a distance of 382.10 feet to the Southeast corner of said Lot 1; thence North 00 degrees 52 minutes 47 seconds West along the East line of said Lot 1 a distance of 247.07 feet to the Northeast corner of said Lot 1; thence North 89 degrees 35 minutes 37 seconds West along the most Northerly line of said Lot 1 a distance of 180.05 feet to the point of beginning.

**BENCHMARK:**

The benchmark is top nut fire hydrant located along the south lot line of Lot 1.  
Elevation = 1055.10 feet

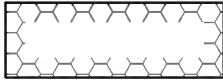
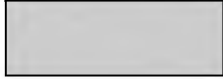

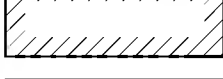
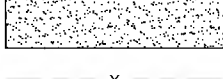











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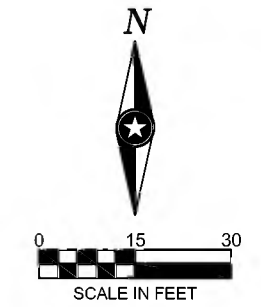
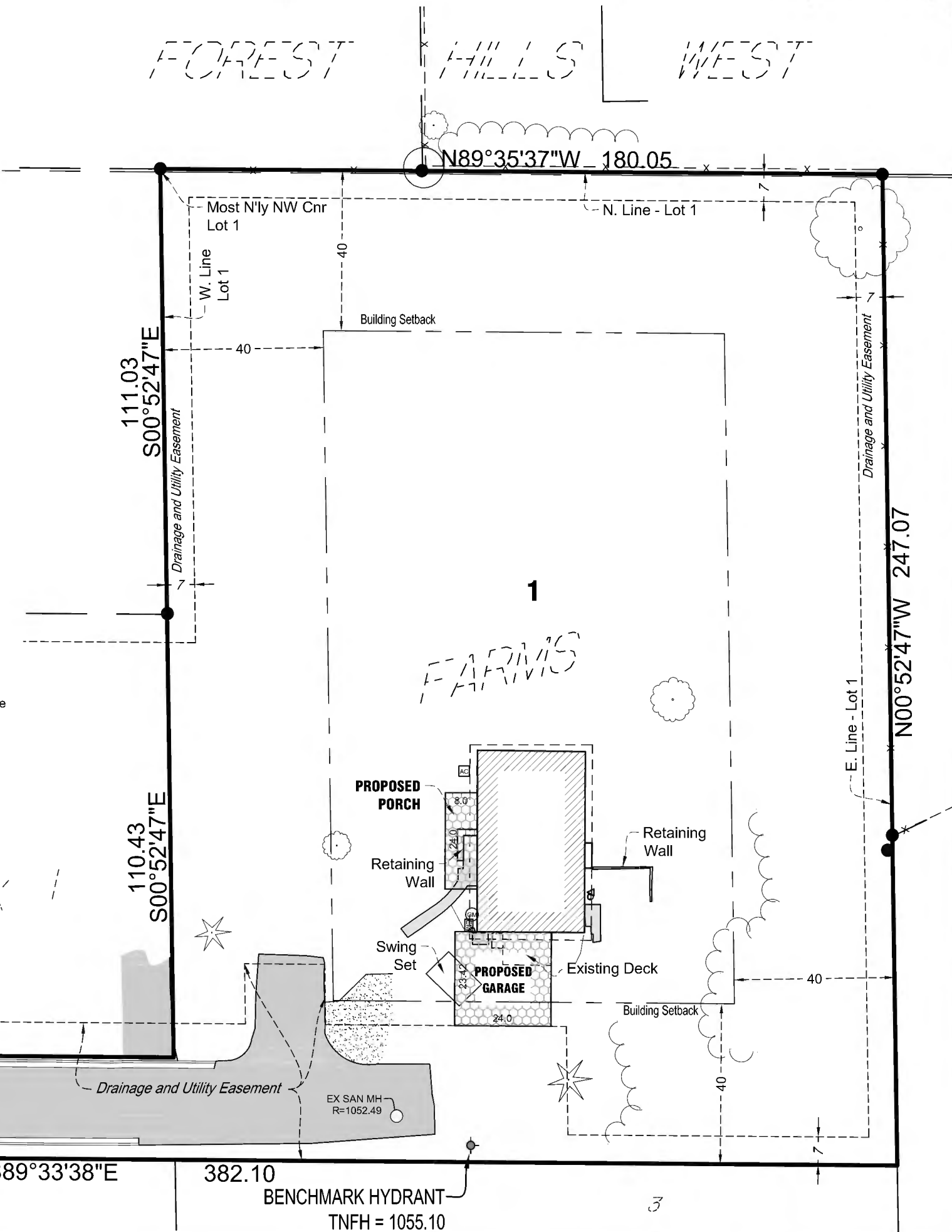
Total Area = 49,617 sq.ft.

**NOTES:**

- This survey does not purport to show land ownership or all easements or encumbrances that affect the described property.
- Field work was completed on April 10, 2023.

**LEGEND**

-  Proposed Building
-  Bituminous Surface
-  Concrete Surface
-  Existing Building
-  Gravel Surface
-  Fence Line
-  Tree Line
-  AC Air Conditioner
-  Cleanout
-  EM Electric Meter
-  Fire Hydrant
-  GM Gas Meter
-  Manhole
-  Roof Drain
-  Coniferous/Deciduous Tree
-  Iron Monument Found



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

MARK A. SCHWANZ  
*Mark A. Schwanz*  
DATE: 5/10/23 LIC. NO. 45817

THIS DOCUMENT IS THE PROPERTY OF I & S GROUP, INC. AND MAY NOT BE USED, COPIED OR DUPLICATED WITHOUT PRIOR WRITTEN CONSENT.

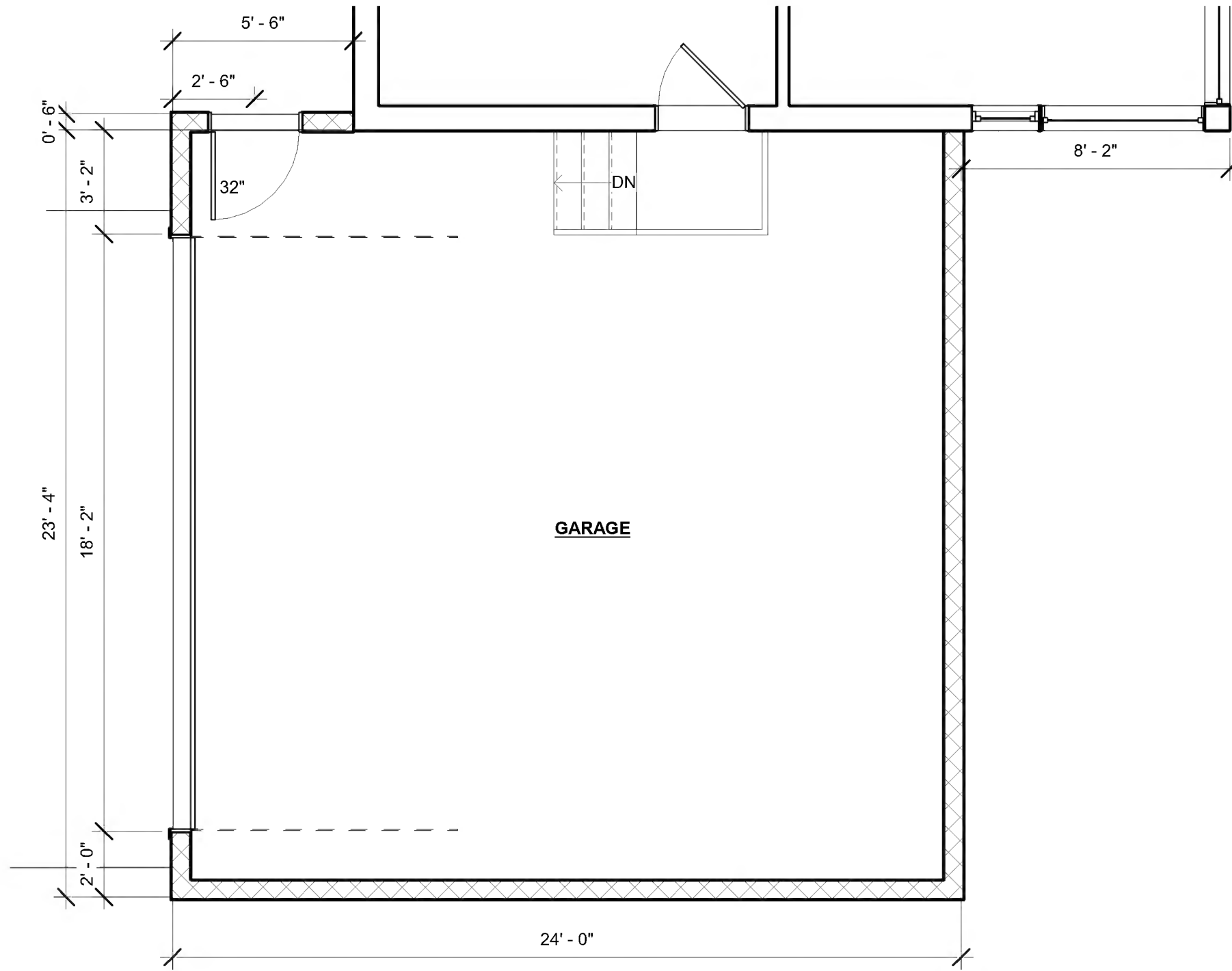
PROJECT  
**JOEL PETERSON RESIDENCE**  
4813 Williston Road  
MINNETONKA MINNESOTA

REVISION SCHEDULE		
DATE	DESCRIPTION	BY

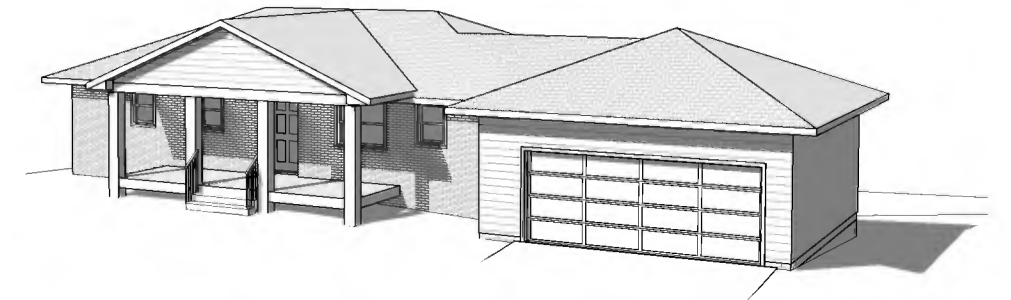
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CAD FILE NAME X-28774-EX-SITE-S  
DRAWN BY JW  
DESIGNED BY ---  
REVIEWED BY MAS  
ORIGINAL ISSUE DATE 4/11/23  
CLIENT PROJECT NO. -

TITLE  
**CERTIFICATE OF SURVEY**

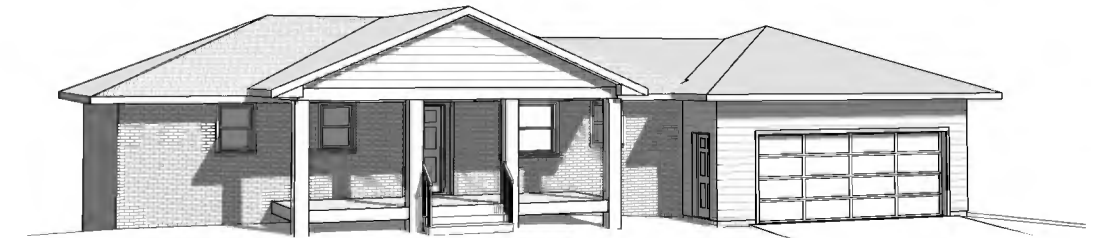




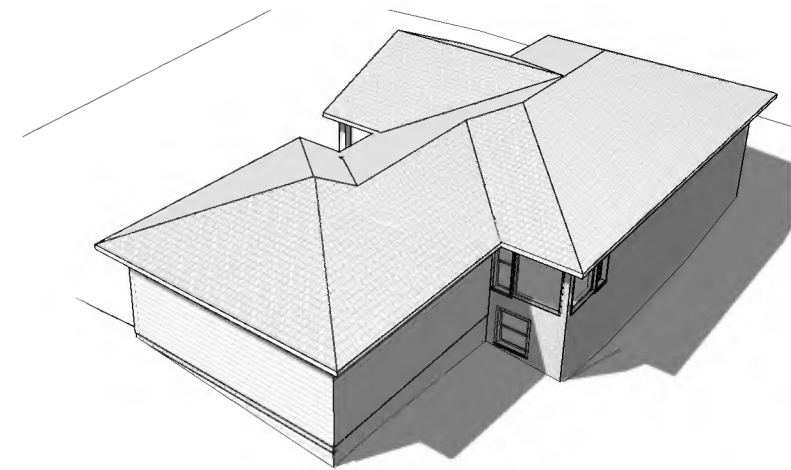
1 Garage  
1/4" = 1'-0"



2 3D View 1



3 3D View 2



4 3D View 3

ADVANCED DRAFTING AND RES. DESIGN INC  
1146 EDGEWATER AVE  
ARDEN HILLS, MN 55112  
651-341-7911

Peterson

4813 Williston Road  
Minnetonka, MN 55345

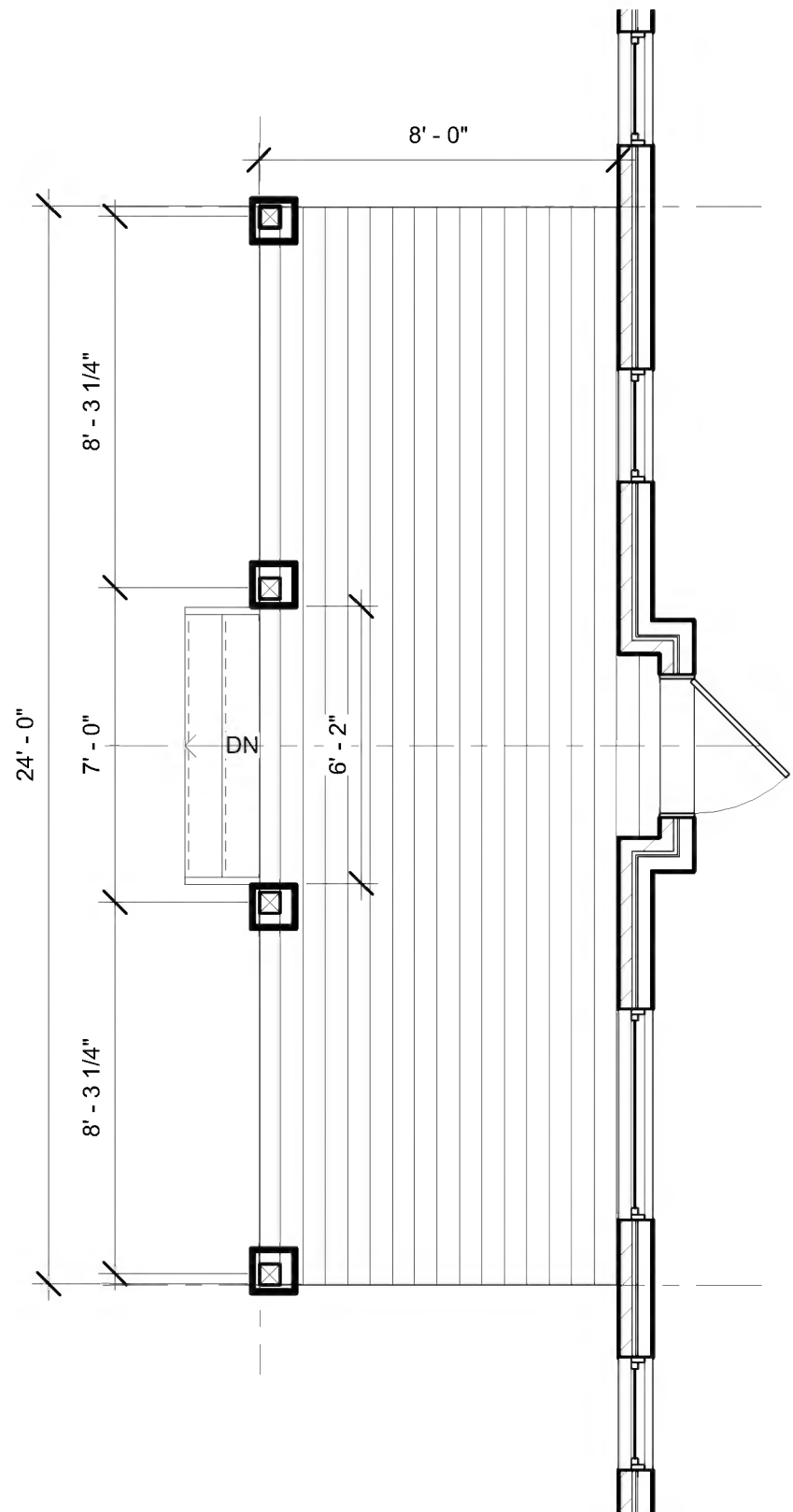
Plan, Views

Date 5/29/2023

4813\_2

A1

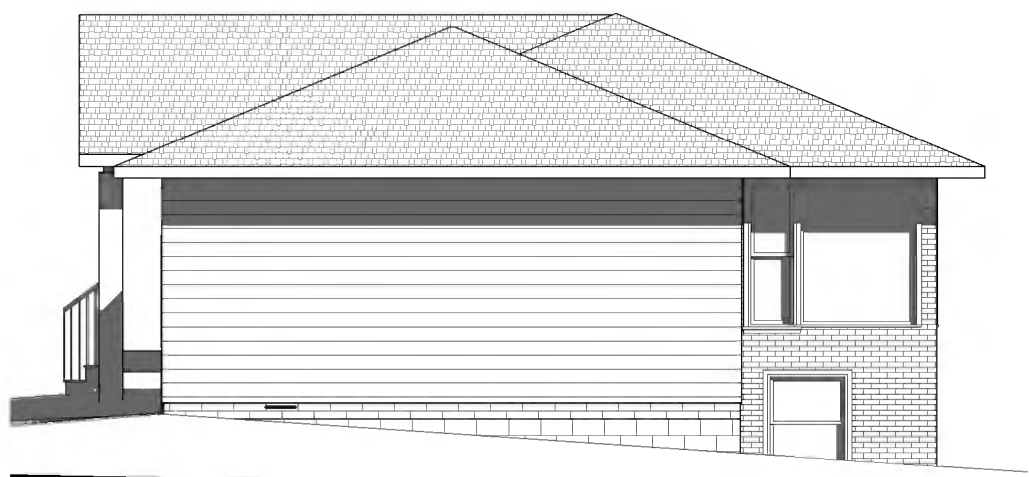
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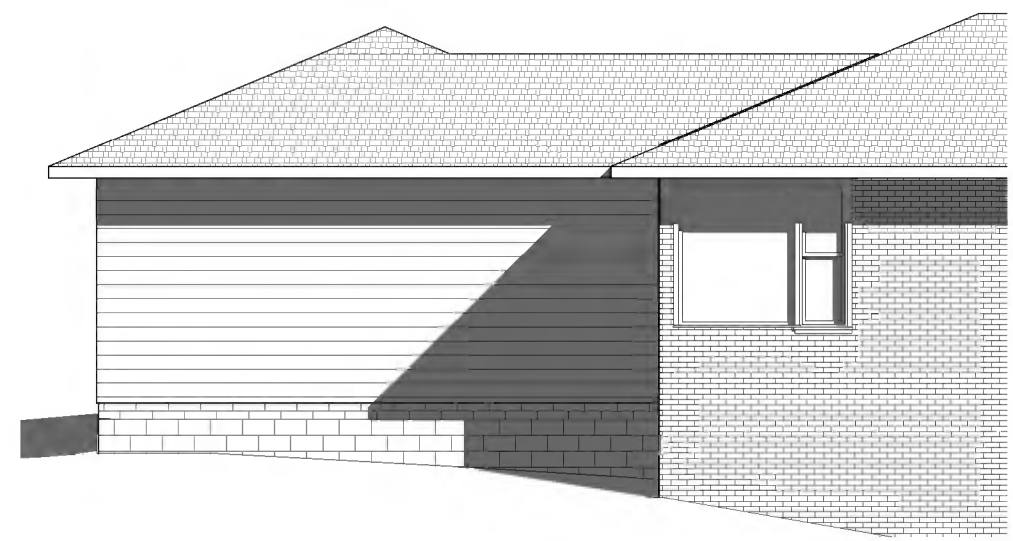
① First Floor  
1/4" = 1'-0"



② West  
1/8" = 1'-0"



③ South  
1/8" = 1'-0"



④ East  
1/8" = 1'-0"

ADVANCED DRAFTING AND RES. DESIGN INC  
1146 EDGEWATER AVE  
ARDEN HILLS, MN 55112  
651-341-7911

Peterson

4813 Williston Road  
Minnetonka, MN 55345

Plan, Elevations

Date 5/29/2023

4813\_2

A2

Scale As indicated

**Planning Commission Resolution No. 2023-**

**Resolution approving a lot-behind-a-lot setback variance for a garage addition at 4813 Williston Road**

---

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

Section 1. Background.

1.01 The property owner, Joel Peterson, has requested a variance from the city code to construct a garage addition onto the existing home. (Project #98028.23a)

1.02 The property is located at 4813 Williston Road. It is legally described as:

That part of Lot 1, Block 1, Sunrise Farms, Hennepin County, Minnesota; described as follows:

Commencing at the most Northerly Northwest corner of said Lot 1; thence South 00 degrees 52 minutes 47 seconds East, assumed bearing, along the West line of said Lot 1 a distance of 111.03 feet to a corner of said Lot 1; thence continue South 00 degrees 52 minutes 47 seconds East along the Southerly extension of said West line of Lot 1 a distance of 110.43 feet; thence North 89 degrees 33 minutes 38 seconds West a distance of 202.05 feet to the most Westerly line of said Lot 1; thence South 00 degrees 52 minutes 47 seconds East along said most westerly line a distance of 25.51 feet to the Southwest corner of said Lot 1; thence South 89 degrees 33 minutes 38 seconds East along the South line of said Lot 1 a distance of 382.10 feet to the Southeast corner of said Lot 1; thence North 00 degrees 52 minutes 47 seconds West along the East line of said Lot 1 a distance of 247.07 feet to the Northeast corner of said Lot 1; thence North 89 degrees 35 minutes 37 seconds West along the most Northerly line of said Lot 1 a distance of 180.05 feet to the point of beginning.

1.03 The property is a lot-behind-a-lot. City Code §300.02, a lot-behind-a-lot is a lot with substandard frontage onto a public street, where the only buildable area is directly behind an existing or potential house pad that fronts on a public street.

1.04 City Code §300.10, Subd. 5 requires a 40-foot setback. The proposal requires a variance to reduce the lot-behind-a-lot to 36 feet.

1.05 Minnesota Statute §462.357 Subd. 6, and City Code §300.07 authorizes the Planning Commission to grant variances.

Section 2. Standards.

2.01 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 means: (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 meets the variance standard outlined in City Code §300.07 Subd. 1(a):

1. **PURPOSE AND INTENT OF THE ZONING ORDINANCE:** The intent of the ordinance as it pertains to setbacks from property lines is to: (1) to provide adequate space between property lines and structures; and (2) establish neighborhood consistency. The proposed setback would be 36 feet, which is similar to or greater than others in the neighborhood.
2. **CONSISTENT WITH COMPREHENSIVE PLAN:** The guiding principles in the comprehensive guide plan provide for maintaining, preserving, and enhancing existing single-household neighborhoods. The requested variance would not negatively impact the existing residential character of the neighborhood and would provide investment into the property, and would allow a garage.
3. **PRACTICAL DIFFICULTIES:** There are practical difficulties in complying with the ordinance:
  - a) **REASONABLENESS:** The property is not currently improved with a garage. A 24-foot by 24-foot garage is considered reasonable on a single household property. The applicant is proposing a 23.5-foot by 24-foot garage in order to keep the proposed structure out of the adjacent easement and reduce the amount of necessary site impacts.
  - b) **UNIQUE CIRCUMSTANCE:** Currently, there is no garage on the property. While it is possible to construct a garage without a variance, doing so would have greater site impacts. The proposed location reduces the proposed amount of grading, impervious surfaces, and eliminates the need for tree removal.

- c) CHARACTER OF LOCALITY: The proposed garage would be screened from Williston Road by topography and would have a similar or a setback greater than other structures in the neighborhood.

Section 4. Planning Commission Action.

4.01 The Planning Commission approves the above-described variance based on the findings outlined in section 3 of this resolution. Approval is subject to the following conditions:

1. Subject to staff approval, the site must be developed and maintained in substantial conformance with the survey dated May 10, 2023 and building plans dated May 29, 2023.
2. Prior to issuance of a building permit:
  - a) A copy of this resolution must be recorded with Hennepin County.
  - b) Install erosion control fencing as required by staff for inspection and approval. These items must be maintained throughout the course of construction.
3. Driveway pavement must be extended to access the new garage.
4. This variance will end on Dec. 31, 2024, unless the city has issued a building permit for the project covered by this variance or has approved a time extension.

Adopted by the Planning Commission of the City of Minnetonka, Minnesota, on July 6, 2023.

\_\_\_\_\_  
Josh Sewall, Chairperson

Attest:

\_\_\_\_\_  
Fiona Golden, Deputy City Clerk

Action on this resolution:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

Absent:

Resolution adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Planning Commission of the City of Minnetonka, Minnesota, at a duly authorized meeting held on July 6, 2024.

---

Fiona Golden, Deputy City Clerk

**MINNETONKA PLANNING COMMISSION**  
**July 6, 2023**

<b>Brief Description</b>	Conditional use permit, with variance, for medical clinics at 12501 Whitewater Drive.
<b>Recommendation</b>	Recommend the city council adopt the resolution approving the permit.

---

**Background**

By city code, a medical clinic is defined as “a freestanding structure or, in the case of multiple tenant buildings, a total occupied space of 2,000 square feet or greater used for patient examination and treatment by physicians, dentists, optometrists, psychologists or other health care professionals and where patients are not lodged overnight.” Medical clinics are conditionally-permitted uses; they are allowed when the following standards are met:

- The clinic is not located adjacent to low-density residential areas;
- The clinic has direct access to a collector or arterial street as defined in the comprehensive plan;<sup>1</sup> and
- Emergency vehicle access to the clinic is not located adjacent to or across a street from any residential use.

Unifeye Vision Partners is a comprehensive eye care provider proposing to conduct medical and surgical eye treatment options out of four tenant spaces at 12501 Whitewater Drive. The practices include Northwest Eye Pediatric Clinic, Northwest Eye Clinic, Minnesota Eye Consultants Eye Clinic, and Northwest Eye Clinic Ambulatory Surgery Center (ASC).

**Primary Questions and 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. These 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 reasonable for the site?**

Yes. The medical clinic is reasonable, as the proposed clinic would meet all conditional use permit standards as outlined in the city code. Other similar uses are located in the immediate area, examples being Gillette Children’s Specialty Healthcare and Children’s Health Care West. The city has received no complaints related to the existing similar medical clinics.

---

<sup>1</sup> This proposal is located without direct access to a collector or arterial street. A variance is requested.

- **Is the variance reasonable?**

Yes. The intent of requiring clinic access directly to a collector or arterial roadways is to ensure that traffic generated by such land uses can be accommodated by the surrounding street infrastructure. Put another way, the requirement is intended to prevent clinics from being located on low-volume streets. Though Whitewater Drive is not technically designated as a collector or arterial road, it serves as one of three accesses to a large office park. Staff anticipates that the traffic generated by the expanded clinic would be negligible relative to that generated by surrounding uses.

- **Can parking demand be accommodated?**

Yes, 12501 and 12701 Whitewater Drive share a parking lot. The staff has calculated the required parking for all tenants at both buildings. The proposal will meet the parking ordinance parking demand requirements. For additional parking information, see the Supporting Information section of this report.

### **Staff Recommendation**

Recommend the city council adopt the resolution approving a conditional use permit for medical clinics at 12501 Whitewater Drive.

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



**Supporting Information**

**Surrounding Properties**

	<b>North</b>	<b>South</b>	<b>East</b>	<b>West</b>
Use	Office	Industrial Office	Office	Office
Zoning	PUD	I-1	PUD	PUD
Guide Plan Designation	Mixed Use	Mixed Use	Mixed Use	Mixed Use

**Subject Property**

	<b>Existing</b>	<b>Proposed</b>
Use	Office	No Change
Zoning	PUD	
Guide Plan Designation	Mixed Use	

**CUP Standards**

The proposal meets the general conditional use permit standards outlined in City Code §300.21 Subd.2.

The proposal meets all the specific conditional use permit standards outlined in City Code §300.21 Subd.3(e).

**Specific Standards**

1. Shall not be adjacent to low-density residential areas;

**Finding:** The clinic is surrounded by office and industrial uses.

2. Shall have direct access to a collector or arterial street as defined in the comprehensive plan;

**Finding:** Access to the clinic site would be via Whitewater Drive, which is classified as a local street. A variance is required.

3. Emergency vehicle access shall not be adjacent to or located across a street from any residential use; and

**Finding:** The clinic would be located over 1,000 feet from the closest resident use and is not anticipated to have more emergency vehicle traffic than any other use in Minnetonka Corporate Center. Further, representatives of the Minnetonka Police Department reviewed the proposed expansion and expressed no concerns.

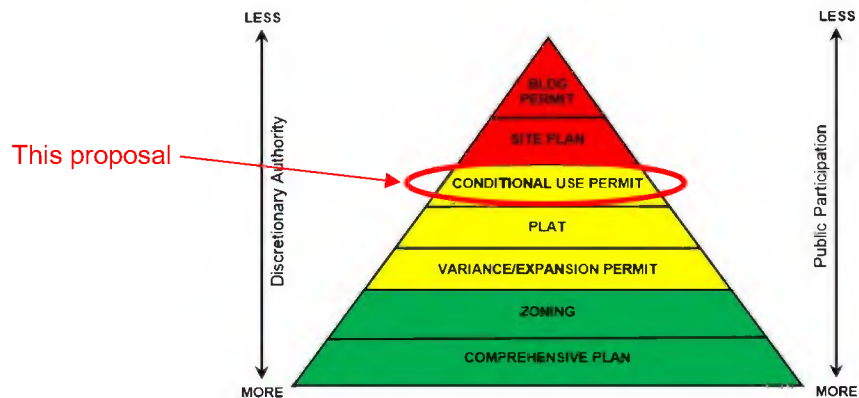
**Variance Standard**

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. (City Code §300.07)

**Neighborhood Comments**

The city sent notices to 22 area property owners and received no written comments to date.

**Pyramid of Discretion**



**Motion options**

The planning commission has the following motion options:

1. Concur with staff’s recommendation. In this case, a motion should be made recommending the city council adopt the resolution approving the conditional use permit.
2. Disagree with staff’s recommendation. In this case, a motion should be made recommending the city council deny the permit. The motion should include findings for denial.
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.

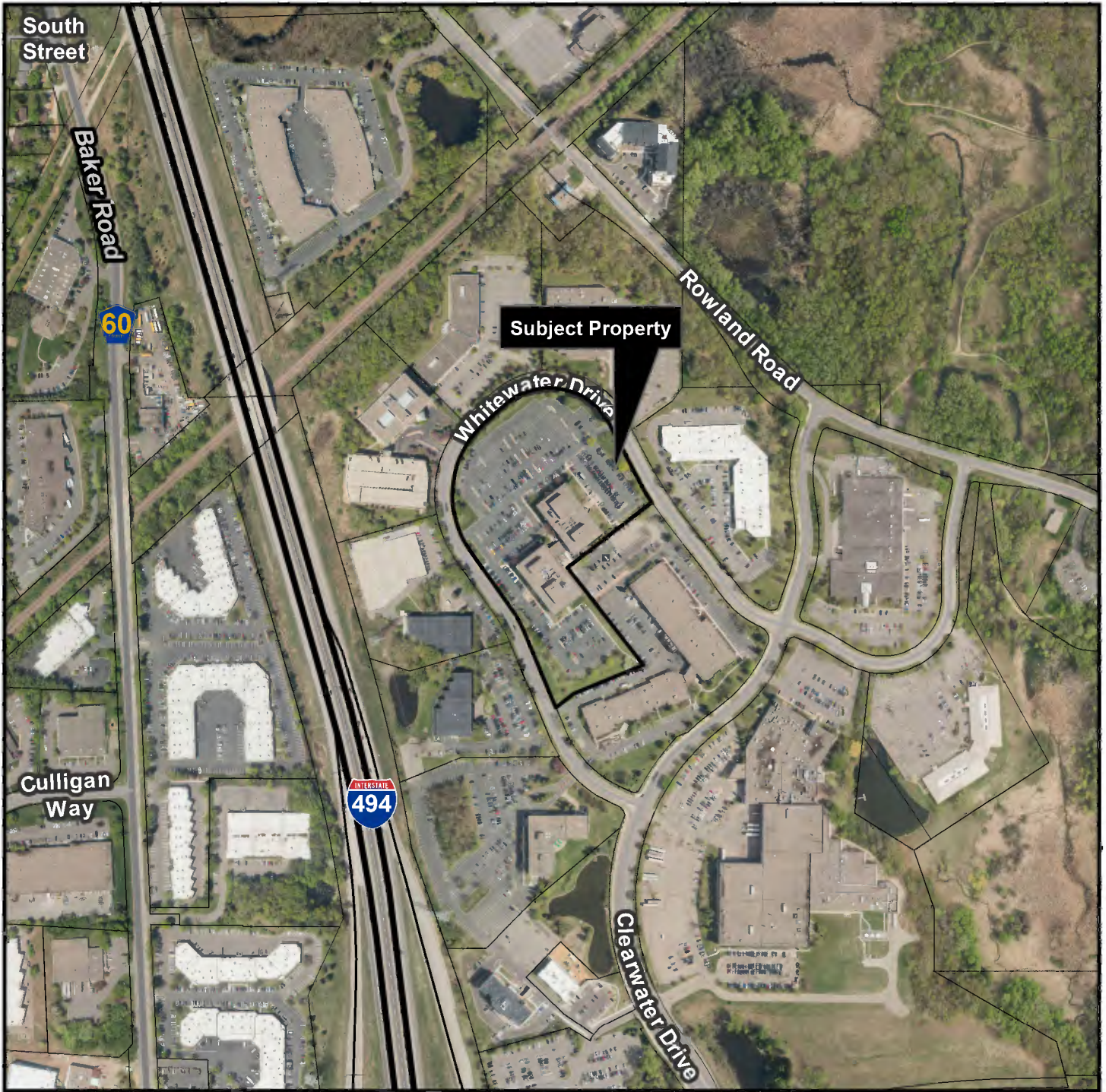
**Voting Requirement**

The planning commission will make a recommendation to the city council; any recommendation requires a simple majority vote.

**Deadline for Decision**

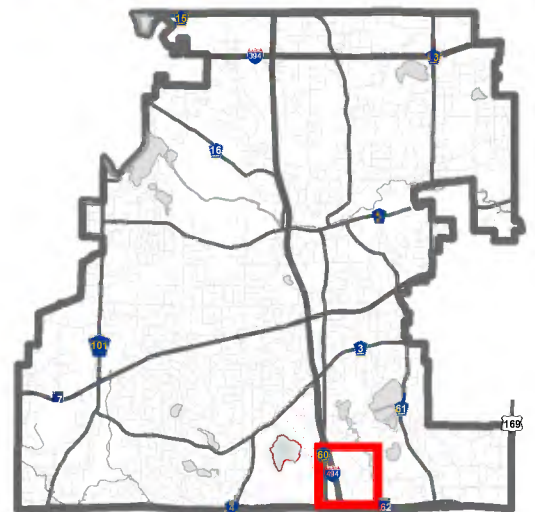
Aug. 14, 2023





### Location Map

Project: Unified Vision Partners  
Address: 12501 Whitewater Drive



## Unifeye Vision Partners

**Northwest Eye Pediatric Clinic** will be in Suite 110 on the First Floor.

- The Doctors at Northwest Eye know kids. They understand how they communicate and have learned how to put them at ease. Most importantly they recognize the unique differences between a developing eye and an adult eye.
- This Clinic primarily serves ages 0 to 18.
- Typical hours of operation: M-Th 8:00-5:00 and F 8-4:30.

**Northwest Eye Clinic** will be in Suite 120 on the First Floor.

- The Doctors at Northwest Eye perform Comprehensive Eye Exams.
- This Clinic primarily serves ages 18 and up.
- Typical hours of operation: M-Th 8:00-5:00 and F 8:00-4:30.

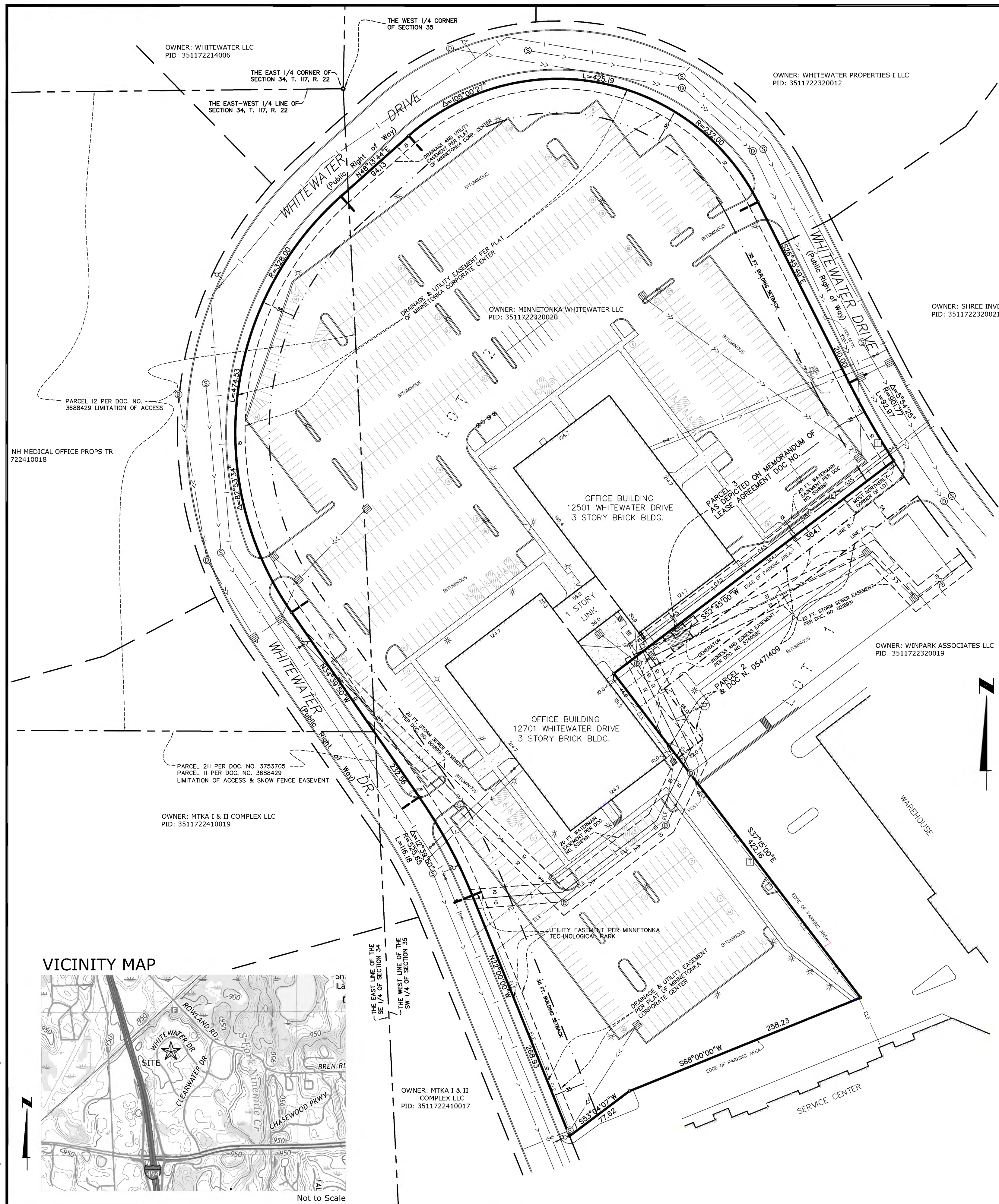
**Minnesota Eye Consultants Eye Clinic** will be in Suite 310 on the Third Floor.

- The Doctors at Northwest Eye perform Comprehensive Eye Exams.
- This Clinic primarily serves ages 18 and up.
- Typical hours of operation: M-F 7:30-5:00.

**Northwest Eye Clinic Ambulatory Surgery Center (ASC)** will be in Suite 320 on the Third Floor.

- This is an Outpatient Eye Surgery Center.
- This Clinic serves all ages.
- Typical hours of operation: M-F 7:30-5:00.





**PROPERTY DESCRIPTION:**

**Parcel 1:**  
 Lot 2, Block 1, Minnetonka Corporate Center, according to the recorded plat thereof, and situate in Hennepin County, Minnesota.

**Note:** The Torrens portion being more particularly described as follows:  
 That part of Lot 2, Block 1, Minnetonka Corporate Center, embraced within Section 35, Township 117, Range 22. (As to Certificate of Title No. 1437794)

**Parcel 2:**  
 Together with easements for vehicular and pedestrian access of Agreement Concerning Easements and Real Covenants for Driveway Access dated December 31, 1990, filed January 15, 1991 in the Office of the County Recorder (Abstract) as Document No. 5740582 and filed January 15, 1991 in the Office of the Registrar of Titles (Torrens) as Document No. 2148865, as amended by First Amendment to Agreement Concerning Easements and Real Covenants for Driveway Access filed in the Office of the Registrar of Titles (Torrens) August 31, 2017 as Document No. 5471409.

**Parcel 3:**  
 Rights in that part of Lot 1, Block 1 Minnetonka Corporate Center, set forth in Memorandum of Lease dated November 17, 2021, filed December 2021 as Document No. \_\_\_\_\_ in the Office of the Hennepin County Recorder and filed December 2021 as Document No. \_\_\_\_\_ in the Office of the Registrar of Titles.

Known as 12501 & 12701 Whitewater Dr, Minnetonka, MN 55343

**ALTA CERTIFICATION:**

To: Water Street Partners LLC, a Minnesota limited liability company; Minnetonka Whitewater LLC, a Delaware limited liability company; MidCountry Bank and WSP Whitewater, LLC.; and Old Republic National Title Insurance Company, its successors and/or assigns as their respective interest may appear:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 6(a), 6(b), 7(a), 8, 9, 11, 13, 16, and 19 of Table A thereof. The field work was completed on December 17th, 2021.  
 Dated this 20th day of December, 2021.

*Paul A. Thorp*  
 Paul A. Thorp Minnesota License No. 13637

**Survey Report:**

THIS MAP AND REPORT WAS PREPARED WITH THE BENEFIT OF A COMMITMENT FOR TITLE INSURANCE PREPARED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, COMMITMENT NO. ORTE747940, DATED SEPTEMBER 7, 2021. WE NOTE THE FOLLOWING WITH REGARDS TO SCHEDULE B-11 OF THE HEREIN REFERENCED TITLE COMMITMENT:

- A. ITEM NO.'S 1-8 ARE NOT SURVEY RELATED.
- B. THE FOLLOWING ARE NUMBERED PER THE REFERENCED TITLE COMMITMENT:
- 9. NO RIGHT OF ACCESS TO HWY 494. RIGHT OF ACCESS WAS CONDEMNED IN FAVOR OF THE STATE OF MINNESOTA AS EVIDENCED BY FINAL CERTIFICATE FILED NOVEMBER 27, 1967 AS DOCUMENT NO. 3688429 AND AS EVIDENCED BY QUIT CLAIM DEED FILED NOVEMBER 30, 1983 AS DOCUMENT NO. 4847923 AND AS SHOWN AS A RECITAL ON CERTIFICATE'S OF TITLE 1437794. AS SHOWN ON SURVEY
- 10. NO RIGHT OF ACCESS TO HWY 494. RIGHT OF ACCESS WAS CONDEMNED IN FAVOR OF THE STATE OF MINNESOTA AS EVIDENCED BY FINAL CERTIFICATE FILED DECEMBER 20, 1968 AS DOCUMENT NO. 3753705 AND AS EVIDENCED BY QUIT CLAIM DEED FILED NOVEMBER 30, 1983 AS DOCUMENT NO. 4847923 AND AS SHOWN AS A RECITAL ON CERTIFICATE'S OF TITLE 1437794. AS SHOWN ON SURVEY
- 11. TERMS AND CONDITIONS OF AGREEMENT DATED JULY 30, 1983, FILED SEPTEMBER 14, 1983 AS DOCUMENT NO. 4827150. (AS TO UNDERLYING LAND) (DOES NOT AFFECT THIS PROPERTY)
- 12. UTILITY EASEMENTS AS SHOWN ON THE RECORDED PLAT OF MINNETONKA TECHNOLOGICAL PARK AND MINNETONKA TECHNOLOGICAL PARK 2ND ADDITION. (AS TO UNDERLYING LAND) AS SHOWN ON SURVEY
- 13. DRAINAGE AND UTILITY EASEMENTS AS SHOWN ON THE RECORDED PLAT OF MINNETONKA CORPORATE CENTER. AS SHOWN ON SURVEY
- 14. EASEMENT FOR CONSTRUCTION MAINTENANCE AND REPAIR OF UNDERGROUND WATER LINE, STORM DRAIN AND CATCH BASIN TOGETHER WITH INCIDENTAL RIGHTS THEREOF IN FAVOR OF THE CITY OF MINNETONKA AS EVIDENCED BY QUIT CLAIM DEED FILED IN THE OFFICE OF THE COUNTY RECORDER (ABSTRACT) AS DOCUMENT NO. 5018991. AS SHOWN ON SURVEY
- 15. TERMS AND CONDITIONS OF AGREEMENT CONCERNING EASEMENTS 15. AND REAL COVENANTS FOR DRIVEWAY ACCESS DATED DECEMBER 31, 1990, FILED JANUARY 15, 1991 IN THE OFFICE OF THE COUNTY RECORDER (ABSTRACT) AS DOCUMENT NO. 5740582. AS SHOWN ON SURVEY
- 16. TERMS AND CONDITIONS OF RESOLUTION NO. 2018-02 OF THE CITY OF MINNETONKA AMENDING THE MINNETONKA CORPORATE CENTER SIGN PLAN FILED FEBRUARY 13, 2018 AS DOCUMENT NO. 10528501. (NOT PLOTTABLE)
- 17. TERMS AND CONDITIONS OF RESOLUTION NO. 2018-106 OF THE CITY OF MINNETONKA APPROVING FINAL SITE AND BUILDING PLANS FOR PHASE 1 OF A TWO PHASE PARKING RAMP FILED SEPTEMBER 28, 2018 AS DOCUMENT NO. 10596169. (NOT PLOTTABLE)
- 18. TERMS AND CONDITIONS OF ORDINANCE NO. 2018-11 OF THE CITY OF MINNETONKA AMENDING THE EXISTING MASTER DEVELOPMENT PLAN OF MINNETONKA CORPORATE CENTER PLAN FILED SEPTEMBER 28, 2018 AS DOCUMENT NO. 10596170. (NOT PLOTTABLE)

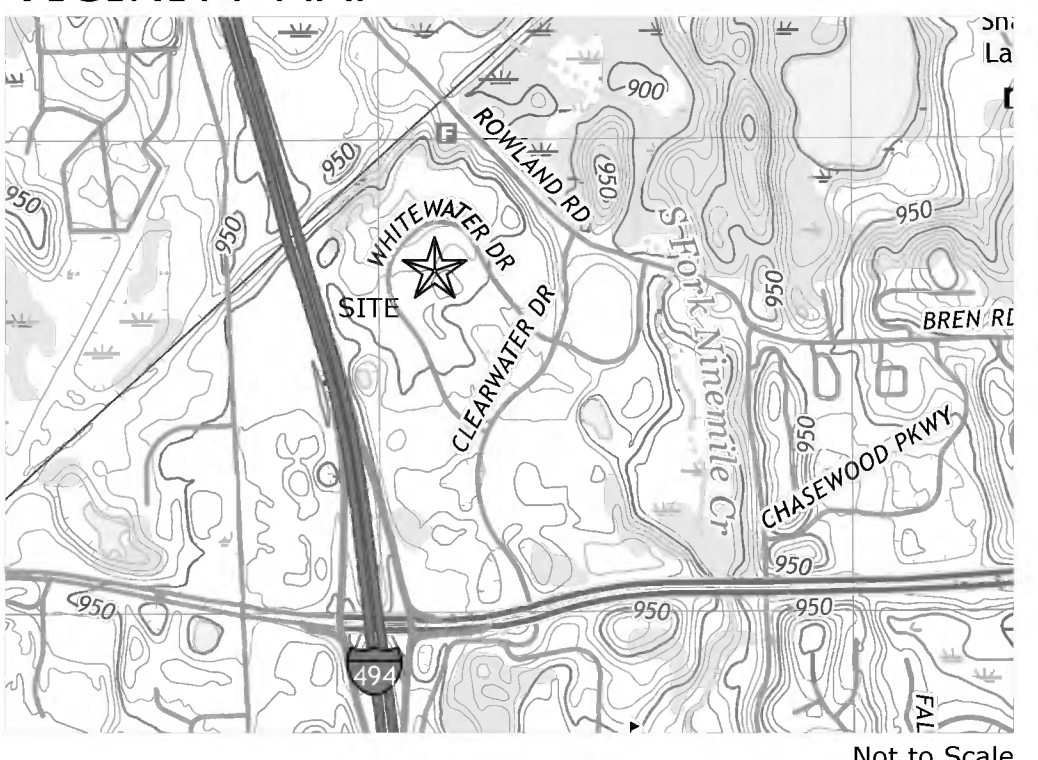
**ALTA/NSPS Land Title Survey Notes:**

- (NUMBERED PER TABLE A)
- 1.) THE BASIS OF BEARINGS IS ASSUMED.
- 2.) 12501, AND 12701 WHITEWATER DRIVE, MINNETONKA, MINNESOTA.
- 3.) PARCEL DESIGNATIONS ARE FOR CONVENIENCE OF REFERENCE ONLY AND DO NOT CONSTITUTE AN INTEGRAL PART OF THE LEGAL DESCRIPTION. THE PROPERTY LIES IN A FLOOD HAZARD ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP PANEL NO. 0339E, COMMUNITY OF MINNETONKA, NUMBER 270173, PANEL 0339, SUFFIX E, MAP NUMBER 27053C0339E, DATED SEPTEMBER 2, 2016.
- 4.) GROSS LAND AREA IS 432,473 +/- SQUARE FEET OR 9.9282 +/- ACRES.
- 6(A). THE CURRENT PROPERTY IS ZONED PUD, PLANNED UNIT DEVELOPMENT. PER THE ZONING LETTER FROM THE CITY OF MINNETONKA CITY PLANNER, DATED NOVEMBER 9, 2021, AT THE TIME OF CONSTRUCTION THE PREMISES COMPLIED WITH ALL SETBACK AND PARKING LAWS AND REGULATIONS.
- 6(B). BUILDING SETBACKS ARE AS SHOWN ON SURVEY.
- 7(A). EXTERIOR DIMENSIONS OF ALL BUILDINGS ARE AT GROUND LEVEL.
- 8.) SUBSTANTIAL FEATURES OBSERVED IN THE PROCESS OF CONDUCTION THE FIELDWORK ARE SHOWN HEREON.
- 9.) THE NUMBER OF PARKING STALLS ON THIS SITE ARE AS FOLLOWS: 667 REGULAR SPACES + 14 HANDICAP SPACES = 681 TOTAL PARKING SPACES.
- 11.) UTILITY LOCATIONS ARE SHOWN HEREON BASED ON OBSERVED EVIDENCE TOGETHER WITH EVIDENCE FROM THE FOLLOWING SOURCES: PLANS OBTAINED FROM UTILITY COMPANIES, PLANS PROVIDED BY CLIENT, MARKINGS BY UTILITY COMPANIES AND OTHER APPROPRIATE SOURCES. WE HAVE USED THIS INFORMATION TO DEVELOP A VIEW OF THE UNDERGROUND UTILITIES FOR THIS SITE. HOWEVER, LACKING EXCAVATION, THE EXACT LOCATION OF UNDERGROUND FEATURES CANNOT BE ACCURATELY, COMPLETELY, AND RELIABLY DEPICTED. WHERE ADDITIONAL OR MORE DETAIL INFORMATION IS REQUIRED, THE CLIENT IS ADVISED THAT EXCAVATION MAY BE NECESSARY. ALSO, PLEASE NOTE THAT SEASONAL CONDITIONS MAY INHIBIT OUR ABILITY TO VISIBLY OBSERVE ALL THE UTILITIES LOCATED ON THE SUBJECT PROPERTY.
- 13.) NAMES OF ADJOINING OWNERS OF PLATTED LANDS ARE BASED ON INFORMATION OBTAINED FROM HENNEPIN COUNTY GIS, TAX AND PROPERTY RECORDS.
- 16.) NO EVIDENCE OF RECENT EARTH MOVING WORK WAS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK.
- 19.) PROFESSIONAL LIABILITY INSURANCE CERTIFICATE WILL BE PROVIDED UPON REQUEST.

**LEGEND**

—	PROPERTY BOUNDARY	⊙	BOLLARD
- - -	RIGHT OF WAY	⊕	FLAG POLE
---	PARCEL LINES	□	POST
- · - · -	EASEMENTS	♿	HANDICAP SYMBOL
- · - · -	SETBACKS	*	LIGHT
▭	BUILDING	⊞	TRANSFORMER
▭	PARKING STRIPING	☎	TELEPHONE BOX
— FO —	FIBER OPTIC LINE	⊕	HYDRANT
— ELE —	TELEPHONE LINE	⊕	WATER VALVE
— ELEC —	ELECTRIC LINE	⊕	CATCH BASIN
— GAS —	GAS MAIN	⊕	STORM MANHOLE
— W —	WATER MAIN	⊕	SANITARY MANHOLE
— S —	SANITARY SEWER	⊕	IRON MONUMENT
— SS —	STORM SEWER	⊕	JUDICIAL LANDMARK
▭	CONCRETE		

**VICINITY MAP**



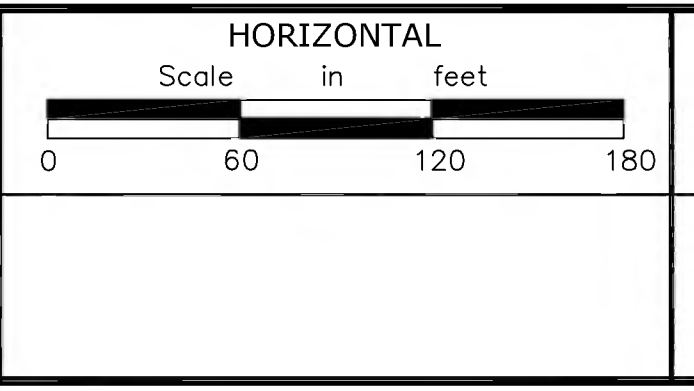
NO.	DATE	DRAWN	DESIGN	CHECKED	ISSUES / REVISIONS
	12-20-21	JMB		PAT	

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 Land Surveyor under the laws of the State of Minnesota.

*Paul A. Thorp*  
 Paul A. Thorp  
 LIC. NO. 13637 DATE: 12-20-2021

**Hansen Thorp Pellinen Olson, Inc.**  
 Engineering · Surveying  
 Landscape Architecture

7510 Market Place Drive • Eden Prairie, MN 55344  
 952-829-0700 • 952-829-7806 fax  
 PROJECT NO. 11-031.5



**ALTA/NSPS LAND TITLE SURVEY**

**12501 & 12701 WHITEWATER DRIVE**  
 MINNETONKA, MINNESOTA

SHEET  
**1**  
 OF  
**1**

FILE: P:\2011\11-031.5 - 12501 and 12701 Whitewater Drive\CAD\DWG\REF11-031.5\_X-SUR.dwg LAYOUT: ALTA  
 SCALE: 0' DATE/TIME: Dec 20, 2021 9:18am  
 USER: jbechman XREF(8): 11-031.5\_X-GEN-TBLK.dwg 11-031.5\_X-GEN-TBLK.dwg 11-031.5\_X-GEN-TBLK.dwg 11-031.5\_X-GEN-TBLK.dwg



# 12501 WHITEWATER

12501 WHITEWATER DRIVE  
MINNETONKA, MN



### BOOK LEGEND

	MARCO	6,993 RSF
	VACANT STORAGE COUNT AS OFFICE	13,598 RSF

1 BOOK PLAN - LOWER LEVEL  
1" = 20'-0"

TOTAL RSF 20,591

07/14/21

LEASING INFORMATION:



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BRENT ROBERTSON | 612-217-5152  
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LAURA FARRELL | 612-217-6744  
laura.farrell@am.jll.com

MANAGED BY:



BDH.design

# 12501 WHITEWATER

12501 WHITEWATER DRIVE  
MINNETONKA, MN



1 BOOK PLAN - LEVEL 01  
1" = 20'-0"

01/14/21

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MANAGED BY:




BDH.design

# 12501 WHITEWATER

12501 WHITEWATER DRIVE  
MINNETONKA, MN



## BOOK LEGEND

 MARCO 26054 RSF

## 1 BOOK PLAN - LEVEL 02

1" = 20'-0"

09/07/21

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MANAGED BY:



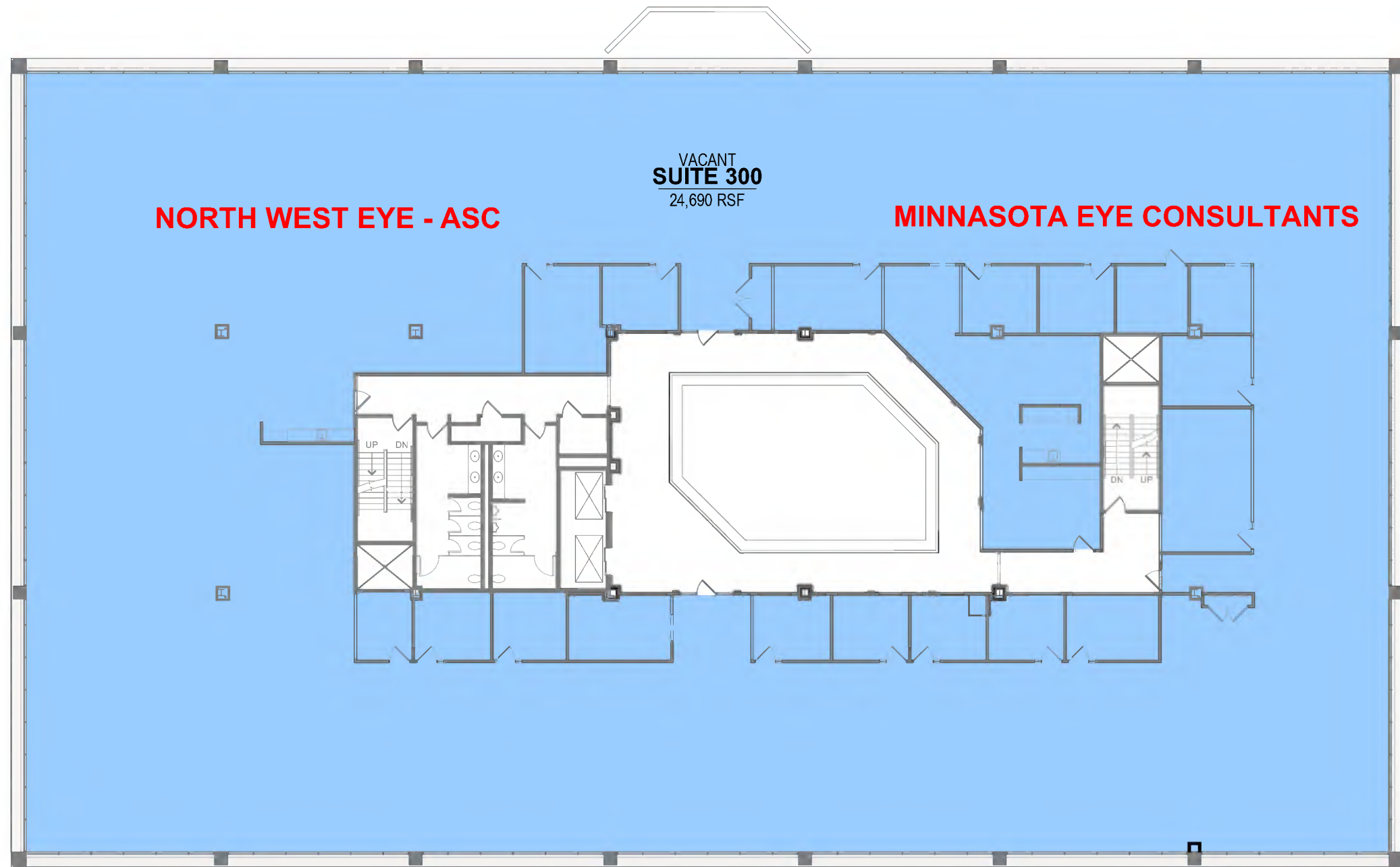
BDH.design





# 12501 WHITEWATER

12501 WHITEWATER DRIVE  
MINNETONKA, MN



### BOOK LEGEND

 NWE ASC & MEC CLINIC 24,690 RSF

## 1 BOOK PLAN - LEVEL 03

1" = 20'-0"

07/14/21

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MANAGED BY:

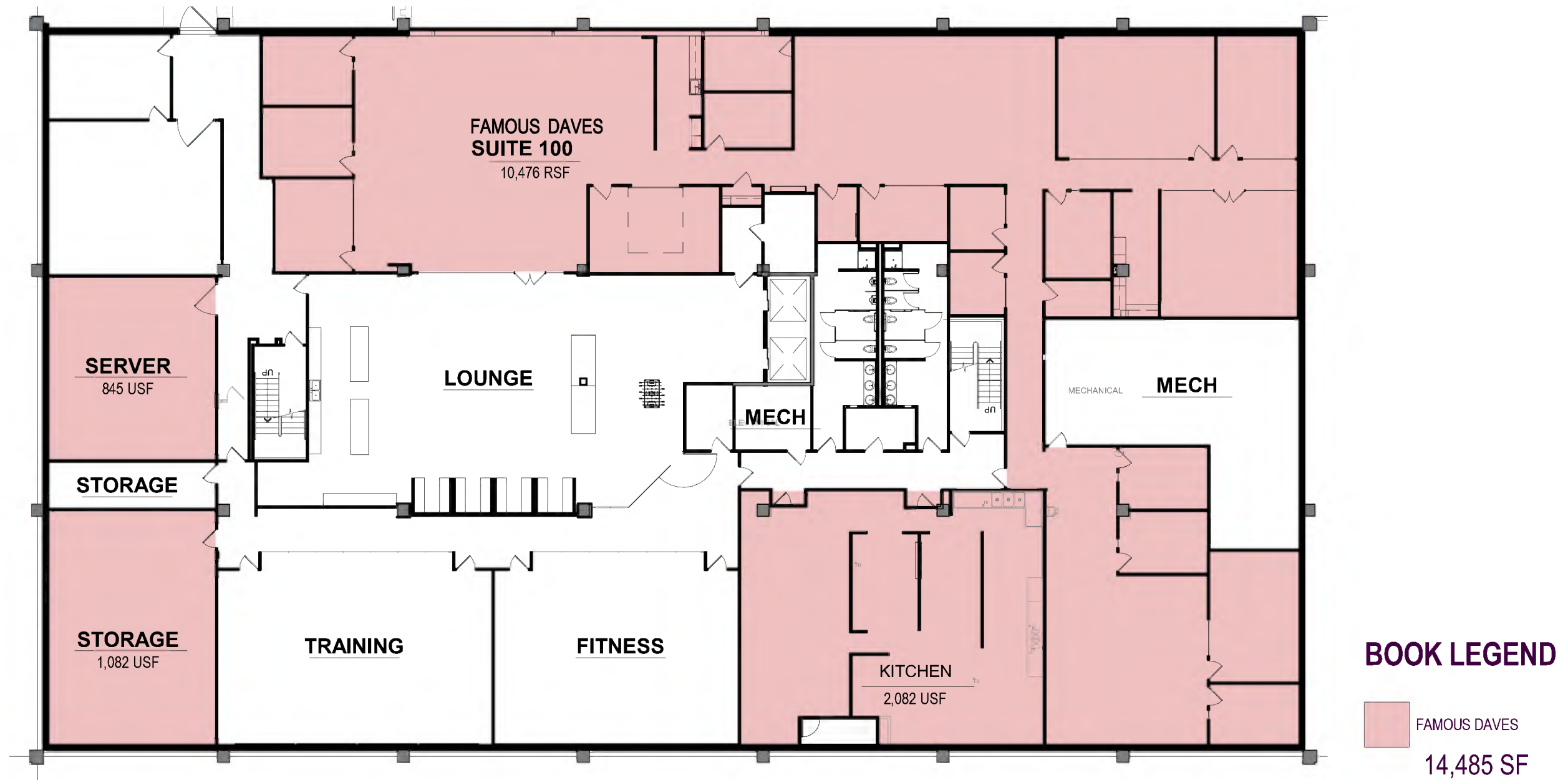


BDH.design



# 12701 WHITEWATER

12701 WHITEWATER DRIVE  
MINNETONKA, MN



1 **BOOK PLAN - LEVEL 01**  
1" = 20'-0"

01/31/22

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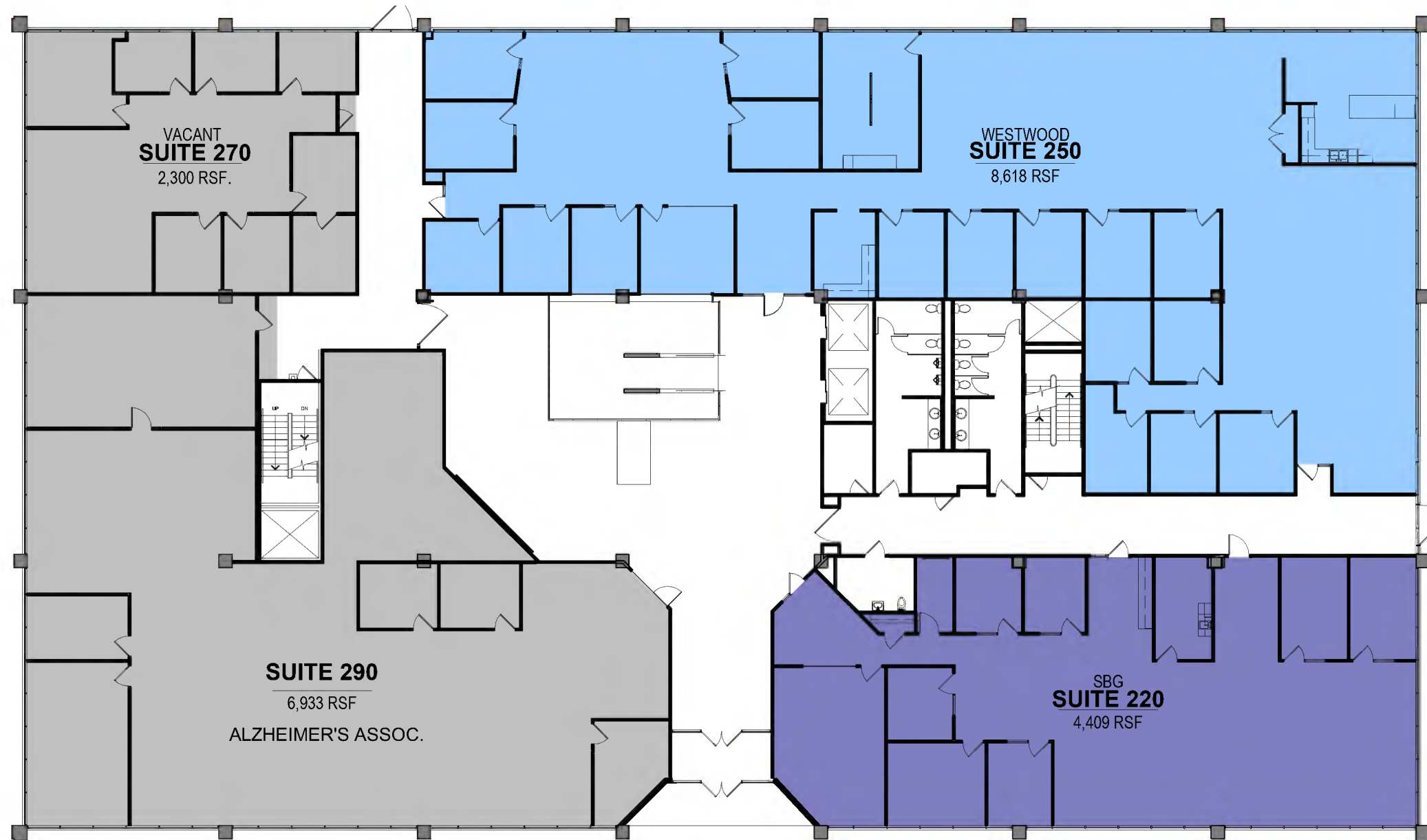
MANAGED BY:



BDH.design

# 12701 WHITEWATER

12701 WHITEWATER DRIVE  
MINNETONKA, MN



## BOOK LEGEND

	SBG OFFICE	4,409 RSF
	VACANT	2300 RSF
	ALZHEIMER'S ASSOC.	6,933 RSF
	WESTWOOD	8,618 RSF

TOTAL RSF 22,260

1 BOOK PLAN - LEVEL 02  
1" = 20'-0"

01/16/2020

LEASING INFORMATION:



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brent.karkula@am.jll.com

BRENT ROBERTSON | 612-217-5152  
brent.robertson@am.jll.com

LAURA FARRELL | 612-217-6744  
laura.farrell@am.jll.com

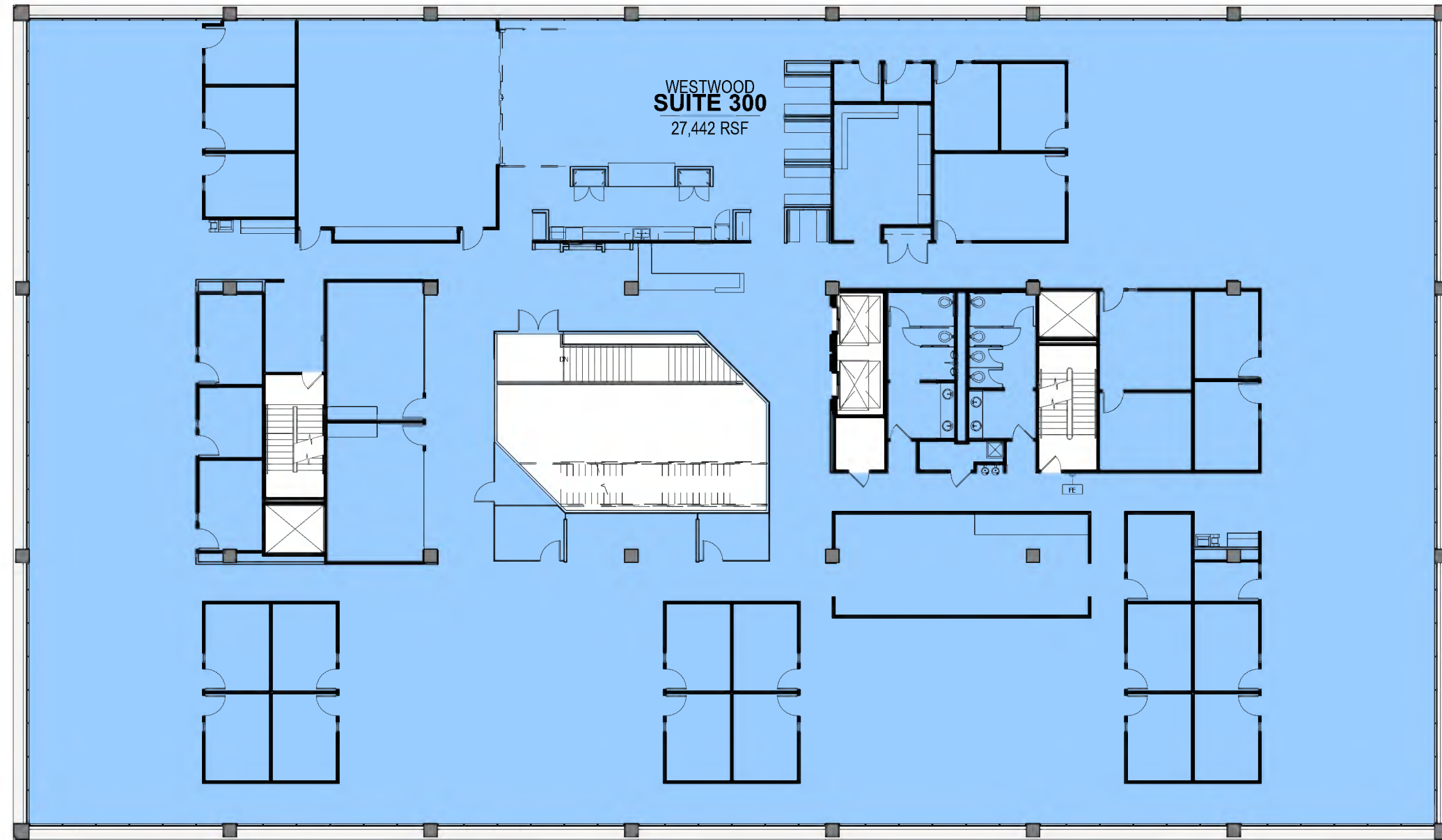
MANAGED BY:



BDH.design

# 12701 WHITEWATER

12701 WHITEWATER DRIVE  
MINNETONKA, MN



## BOOK LEGEND

WESTWOOD 27,442 RSF

1 BOOK PLAN - LEVEL 03  
1" = 20'-0"

01/16/2020

LEASING INFORMATION:



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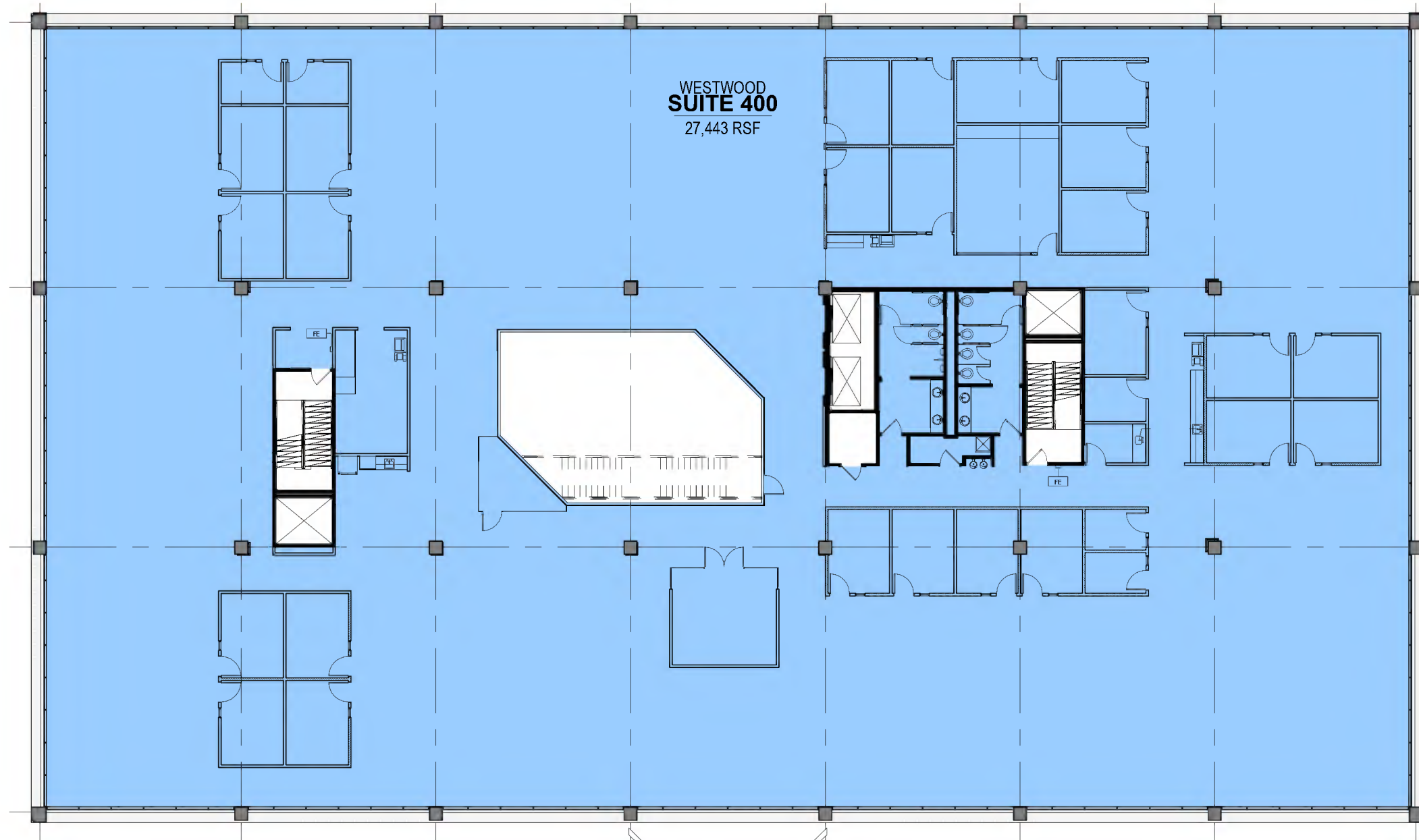


BDH.design



# 12701 WHITEWATER

12701 WHITEWATER DRIVE  
MINNETONKA, MN



WESTWOOD  
**SUITE 400**  
27,443 RSF

## BOOK LEGEND

 WESTWOOD 27,443 RSF

## 1 BOOK PLAN - LEVEL 04

1" = 20'-0"

01/16/2020

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MANAGED BY:



BDH.design

## City Code Parking Calculation

12501	Tenant Suite	Tenant	Size	Use	Parking Ratio	City Code requirement		
Lower Level	100	Marco	5,042	Office	2.75 per 1,000 sq.ft.	13.9		
	125	Vacant	2,313	Office	2.75 per 1,000 sq.ft.	6.4		
	145	Vacant	3,816	Office	2.75 per 1,000 sq.ft.	10.5		
	175	Marco	1,520	Office	2.75 per 1,000 sq.ft.	4.2		
	185	Vacant	2,173	Office	2.75 per 1,000 sq.ft.	6		
	195	Vacant	5,296	Office	2.75 per 1,000 sq.ft.	14.6		
Level 1	100	Marco	4,489	Office	2.75 per 1,000 sq.ft.	12.3		
	110	<b>Pediatric clinic</b>	8,198	Medical	3 per 1,000 sq.ft., with a minimum of 5	24.6		
	120	<b>NWE Eye Clinic</b>	9,626	Medical	3 per 1,000 sq.ft., with a minimum of 5	28.9		
Level 2	200	Marco	26,054	Office	2.75 per 1,000 sq.ft.	71.65		
Level 3	310	<b>Minnesota Eye Consultants</b>	12,345	Medical	3 per 1,000 sq.ft., with a minimum of 5	37		
	320	<b>Northwest Eye Clinic</b>	12,345	Medical	3 per 1,000 sq.ft., with a minimum of 5	37		
12701	Tenant Suite	Tenant	Size	Use	Parking Ratio	City Code requirement		
Level 1	100	Famous Daves	10,476	Office	2.75 per 1,000 sq.ft.	28.8		
			1,082	Storage	0.5 per 1,000 sq.ft.	0.5		
Level 2	220	SBG	4,409	Office	2.75 per 1,000 sq.ft.	12.1		
			250	Westwood	8,618	Office	2.75 per 1,000 sq.ft.	23.7
			270	Vacant	2,300	Office	2.75 per 1,000 sq.ft.	6.3
			290	Alzheimer's Associate	6,933	Medical Clinic	3 per 1,000 sq.ft., with a minimum of 5	20.8
Level 3	300	Westwood	27,442	Office	2.75 per 1,000 sq.ft.	75.5		
Level 4	400	Westwood	27,443	Office	2.75 per 1,000 sq.ft.	75.5		
Available stalls						681		
Required stalls						<b>510.25</b>		

\* Proposed medical clinics are highlighted

**Resolution No. 2023-**

**Resolution approving a conditional use permit for medical clinics  
at 12501 Whitewater Drive**

---

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

Section 1. Background.

1.01 The subject property is located at 12501 Whitewater Drive and is zoned PUD, planned unit development.

1.02 The property is legally described as:

LOT 2, BLOCK 1, Minnetonka Corporate Center, Hennepin County, Minnesota

Torrens Certificate No. 1537557

1.03 Unified Vision Partners proposes the following medical clinics:

<b>Tenant Name</b>	<b>Tenant Suite</b>
Northwest Eye Pediatric Clinic	110
Northwest Eye Clinic	120
Minnesota Eye Consultants Eye Clinic	310
Northwest Eye Clinic Ambulatory Surgery Center (ASC)	320

1.04 By City Code §300.22 Subd.3, all uses allowed by conditional use permit within any other district are allowed by conditional use permit in a PUD.

1.05 By City Code §300.17 Subd.4 (e) hospitals and medical clinics are conditionally-permitted uses in the B-1, office zoning district.

1.06 On July 6, 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, 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 §300.21 Subd.2 outlines the general standards that must be met for granting a conditional use permit. These standards are incorporated into this resolution by reference.
- 2.02 City Code §300.21 Subd.3(e) outlines the following specific standards that must be met for granting a conditional use permit for clinics:
1. shall not be adjacent to low-density residential areas;
  2. site shall have direct access to a collector or arterial street as defined in the comprehensive plan; and
  3. emergency vehicle access shall not be adjacent to or located across a street from any residential use.
- 2.03 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 means: (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 meets the general conditional use permit standards outlined in City Code §300.21 Subd.2.
- 3.02 The proposal meets all the specific conditional use permit standards outlined in City Code §300.21 Subd.3(e), but for the locational standard.
1. The clinic is surrounded by office and industrial uses.
  2. Access to the clinic site would be via Whitewater Drive, which is classified as a local street. A variance is required.
  3. The clinic would be located over 1,000 feet from the closest resident use and is not anticipated to have more emergency vehicle traffic than any other use in Minnetonka Corporate Center. Further, representatives of the Minnetonka Police Department reviewed the proposed expansion and expressed no concerns.
- 3.03 The clinic meets the variance standard outlined in City Code §300.07 Subd.1(a):
1. Purpose and Intent of the Ordinance: The intent of requiring clinic access directly to a collector or arterial roadway is to ensure traffic generated by such land uses can be accommodated by the surrounding street



infrastructure. Put another way, the requirement is intended to prevent clinics from being located on low-traffic volume streets. Though Whitewater Drive is not technically designated as a collector or arterial road, it serves as one of three accesses to a large office park. Traffic generated by the expanded clinic would be negligible relative to that generated by surrounding uses.

2. Consistent with Comprehensive Plan: The property is designated for mixed-use in the 2040 Comprehensive Plan. A medical clinic is consistent with that designation.
3. Practical Difficulties: There are practical difficulties in complying with the ordinance:
  - a) Reasonableness and Unique Circumstance. Though Whitewater Drive is not technically designated as a collector or arterial road, it serves as one of three accesses to a large office park. The traffic generated by the clinic would be negligible relative to that generated by surrounding uses.
  - b) Character of Locality. A clinic has been operated from this and neighboring buildings for many years without complaint. The proposal would not impact the mixed-use character of the surrounding area.

Section 4. City Council Action.

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

1. This resolution must be recorded with Hennepin County.
2. The tenant spaces must comply with all requirements of the Minnesota State building code, fire code, and health code.
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 traffic or a significant change in character would require a revised conditional use permit.

Adopted by the City Council of the City of Minnetonka, Minnesota, on July 17, 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:

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Minnetonka, Minnesota, at a meeting held on July 17, 2023.

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

**MINNETONKA PLANNING COMMISSION**  
**July 6, 2023**

<b>Brief Description</b>	Conditional use permit for telecommunication antennas and accessory equipment at 501 Carlson Parkway.
<b>Recommendation</b>	Recommend the city council adopt the resolution approving the permit.

---

**Proposal**

Dish Wireless is proposing to install telecommunication antennas and accessory equipment on the roof of the Island Residences at 501 Carlson Parkway. Under the telecommunication ordinance, facilities that are located outside of public right-of-way are allowed either as conditional uses or as permitted uses. A conditional use permit is required for new towers and for facilities on water towers or buildings for which a telecommunications conditional use permit has not already been approved. As this proposal would be the first for this building, a CUP is necessary. Future installations on the building could be reviewed and approved administratively.



**Staff Analysis**

Staff supports the requested permit, as:

- The proposal would meet all conditional use permit standards. These standards are outlined in the "Supporting Information" section of this report.
- The facilities would not be visible from the ground and, from above, would be similarly sized to other roof-top equipment.
- The application was reviewed by the city's telecommunication consultant, who found that "the proposed frequencies should not cause any harmful interference problems on any of the existing city communications systems."

**Staff Recommendation**

Recommend the city council adopt the resolution approving a conditional use permit for telecommunication antennas and accessory equipment at 501 Carlson Parkway.

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

### Supporting Information

#### Subject Property

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

#### Surrounding Properties

North: Office building, zoned PID  
South: Office building, zoned PID  
East: I-494  
West: multi-household building, zoned PID

#### Telecomm. Act

Under the federal Telecommunications Act, the city cannot:

- ✓ Specifically, prohibit telecommunication facilities;
- ✓ Discriminate among providers; or
- ✓ Cite environmental concerns as a reason for denial when a facility complies with Federal Communications Commission (FCC) rules.

#### CUP Standards

The proposal would meet the general standards for telecommunication towers outlined in both City Code §310.03 Subd.7(a)

1. Service Provider. A telecommunications service provider must be identified for the proposed telecommunication facility and must occupy the facility within twelve months of approval.

**Finding:** Dish Wireless is identified as the initial service provider.

2. Lighting. Telecommunications facilities may not be artificially illuminated unless required by law or by a governmental agency to protect the public's health and safety or, unless necessary, to facilitate service to ground-mounted equipment.

**Finding:** Lighting is not proposed or required.

3. Construction. Facilities and equipment must be constructed in compliance with applicable building and electrical code requirements. The structural design, mounting, and installation of the telecommunication facility must be in compliance with the manufacturer's specifications.

**Finding:** This is included as a condition of approval.

4. Projections. Antennas may not project out from an antenna support structure or tower unless it is physically impossible to locate the antenna with the structure or tower, in which case they may not project out more than three feet. Facilities located on transmission towers, water towers or buildings may not extend more than 15 feet above the structure to which they are attached.

Wall or façade-mounted antennas may not extend above the building cornice line.

**Finding:** The antennas would project out from their support by three feet and above the roof of the existing building by roughly four feet. The antennas would not be visible from the ground.

5. Accessory equipment is subject to the following:

- a. Equipment or buildings meet minimum setback requirements established for accessory structures in the associated zoning district.

**Finding:** The accessory equipment would also be located on the roof of the existing building.

- b. Equipment or buildings must be designed to blend in with the surrounding natural or built environment or must be screened from view by suitable vegetation, except where a design of non-vegetative screening better reflects and complements the character of the surrounding neighborhood.

**Finding:** The equipment would not be visible from the ground and, from above, would be similarly sized to other roof-top equipment.

- c. No more than one accessory building is permitted for each tower. If additional space is needed to accommodate the co-location of antennas, the existing accessory building must be expanded, or a new accessory building must be constructed adjacent and complementary to the existing building.

**Finding:** No accessory building is proposed.

The proposal would also meet the specific standards for telecommunication towers outlined in City Code §310.03 Subd.8(b)

1. Location.

- a. General. Facilities must be located in an area that will meet the applicant's reasonable coverage and capacity needs. However, the city may require that a different location be used if it would result in less public visibility, is available, and would continue to meet the applicant's reasonable capacity and coverage needs.

**Finding:** This Dish Wireless installation would provide reasonable coverage and capacity. The staff is unaware of other Dish installations of this type in the vicinity.

- b. Zoning Districts. Facilities may be located within any zoning district. However, on properties guided by low-density

residential, telecommunication towers may only be located on public or institutional property.

**Finding:** The subject property is zoned PID, planned I-394 district.

- c. Setbacks. Towers located adjacent to low or medium-density residential properties must meet the minimum setback requirements established for principal structures within the associated residential zoning district, but only from the property line abutting the residential district. The city council may waive the setback requirement if necessary to implement stealth design techniques. Accessory equipment must meet minimum setback requirements established for accessory structures within the zoning district.

**Finding:** A tower is not proposed. As such, the setback standard is not applicable.

## 2. Design

- a. Stealth Design. Facilities must use as many stealth design techniques as reasonably possible. Economic considerations alone are not justification for failing to provide stealth design techniques.

**Finding:** The proposed antennas and equipment would not be visible from the ground and, from above, would be similarly sized to other roof-top equipment.

- b. Collocation. New telecommunication towers must be designed to accommodate more than one telecommunication provider at more than one height within the tower unless it is physically impossible or impractical to do so at the tower's proposed location. In addition, the applicant, tower owner, landlord, and their successors must agree in writing to (1) meet reasonable terms and conditions for shared use; (2) submit a dispute over the potential terms and conditions to binding arbitration.

**Finding:** A tower is not proposed. As such, the collocation standard is not applicable.

- c. Height. Maximum tower height, excluding lightning rods, is restricted based on the land use designation of the property on which the tower is located:

Land Use Designation	Single-User Tower	Multiple-User Tower
Low/Medium Density Residential	60 ft	90 ft
High-Density Residents	75 ft	90 ft
Office, Commercial	75 ft	90 ft
Industrial	150 ft	150 ft

Institutional	60 ft	90 ft
---------------	-------	-------

The city council may increase height if the applicant can demonstrate that the increase would not have a significant impact on surrounding properties because of things like proximity, topography, or screening by trees or buildings. The council may likewise waive height restrictions for towers wholly or partially for essential public services, such as public safety.

**Finding:** A tower is not proposed. As such, the height standard is not applicable.

- d. Projections. Antennas may not project out from an antenna support structure or tower unless it is physically impossible to locate the antenna with the structure or tower, in which case they may not project out more than three feet. Facilities located on transmission towers, water towers, or buildings may not extend more than 15 feet above the structure to which they are attached. Wall or façade-mounted antennas may not extend above the building cornice line.

**Finding:** The proposed antennas would project out from their support by three feet and above the roof of the existing building by roughly four feet, consistent with this provision.

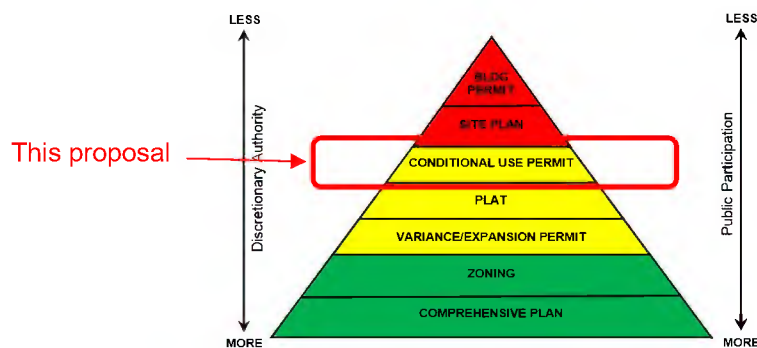
- e. Color. Tower, antennas, and support structures must be painted a non-contrasting color consistent with the surrounding area, such as gray, brown, or silver, or have a galvanized finish to reduce visual impact. Metal towers must be constructed of or treated with corrosion-resistant material.

**Finding:** As a condition of approval, the antennas and support equipment must be of a color consistent with existing roof-top equipment.

**Neighborhood Comments**

The city sent notices to 453 area property owners and residents and received no comments to date.

**Pyramid of Discretion**



**Motion Options**

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

1. Concur with the staff recommendation. In this case, a motion should be made recommending the city council adopt the resolution approving the permit.
2. Disagree with the staff's recommendation. In this case, a motion should be made recommending the city council deny the request. This motion must include a statement as to why the request 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 Decision**

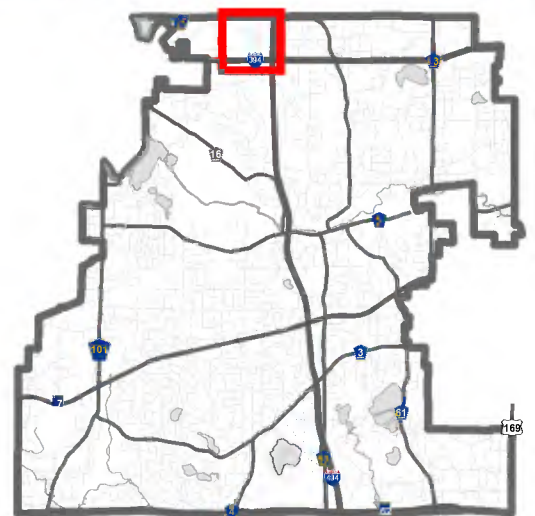
Sept. 19, 2023





### Location Map

Project: Dish Wireless  
Address: 501 Carlson Parkway





BUELL CONSULTING, INC.  
720 Main Street, Suite 200  
Saint Paul, MN 55118  
(651) 361-8110  
[www.buellconsulting.com](http://www.buellconsulting.com)

May 18, 2023

Via email to [stomas@minnetonkamn.gov](mailto:stomas@minnetonkamn.gov)

Community Development Department  
City of Minnetonka  
14600 Minnetonka Boulevard  
Minnetonka, Minnesota 55345

Re: Telecommunication Facility Conditional Use Permit  
501 Carlson Parkway  
Dish Wireless Ref. MNMSP00496A

Dear City of Minnetonka Staff and Officials:

I am pleased to submit the enclosed application for a conditional use permit on behalf of my client, Dish Wireless, to construct a wireless telecommunication facility on the rooftop of the Island Residences at Carlson Center Apartments located at 501 Carlson Parkway in Minnetonka.

Dish Wireless is in the process of building a nationwide wireless voice and data network built entirely on a 5G platform. This installation will provide Dish Wireless service in northwestern Minnetonka near the Highway 494 and Highway 394 interchange.

With no legacy technology (3G, 4G, CDMA, etc.) to deploy and maintain, each individual Dish Wireless antenna site installation requires minimal equipment: a small equipment cabinet on a five (5) foot by seven (7) foot steel platform which supports three (3) antennas and six (6) remote radio heads (RRHs) to provide three sectors of coverage.

Pursuant to section 310.03 of the Minnetonka Code of Ordinances, Dish Wireless' proposed installation is allowable as a conditional use, whereas similar installations on rooftops are permitted uses when a conditional use has previously been established on a specific property in Minnetonka. This proposed installation is similar to an installation approved by the City of Minnetonka in February 2023 located on the RidgePointe Senior Living building located at 12800 Marion Lane West.

(continued)

(continued from prior page)

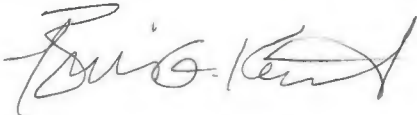
Dish's installation at the Island Residences is depicted in the Rev. 2 drawings accompanying this application. Note that all antennas, cabling, equipment and mounting apparatus visible from ground level shall be painted with color similar to the existing rooftop appurtenances (see Note 5 on sheet A-2). Because of the secluded location of this property, the relatively low height of the building and installation, as well as existing tree cover both on and off the property, offsite visibility of the proposed equipment will be minimal.

Please note that checks for the required application and escrow fees are being mailed to the City, attention to Susan Thomas in Community Development. Per discussion with Ms. Thomas, no survey of the property is provided with this application as the City has a survey of the property on file.

Kindly review the application and reach out to me by phone at (425) 281-8215 or email at [brian@kabatconsulting.com](mailto:brian@kabatconsulting.com) with any questions about the application. I will plan to attend the Planning Commission to address any questions about the application.

On behalf of Dish Wireless, thank you for your support and interest in providing reliable wireless voice and data services in the City of Minnetonka.

Thank you,

A handwritten signature in black ink, appearing to read "Brian Kabat". The signature is fluid and cursive, with a large initial "B" and "K".

Brian Kabat  
Kabat Consulting Inc. for Buell Consulting, Inc.  
*Site Acquisition Consultant*  
(425) 281-8215 | [brian@kabatconsulting.com](mailto:brian@kabatconsulting.com)

Enc. (attachments: Rev. 2 drawings, application)





DISH Wireless L.L.C. SITE ID:

**MNMSP00496A**

DISH Wireless L.L.C. SITE ADDRESS:

**501 CARLSON PARKWAY,  
MINNETONKA, MN 55305**

**SCOPE OF WORK**

THIS IS NOT AN ALL INCLUSIVE LIST. CONTRACTOR SHALL UTILIZE SPECIFIED EQUIPMENT PART OR ENGINEER APPROVED EQUIVALENT. CONTRACTOR SHALL VERIFY ALL NEEDED EQUIPMENT TO PROVIDE A FUNCTIONAL SITE. THE PROJECT GENERALLY CONSISTS OF THE FOLLOWING:

- SECTOR SCOPE OF WORK:
- INSTALL (3) PROPOSED PANEL ANTENNAS (1 PER SECTOR)
  - INSTALL (2) PROPOSED SLED MOUNTS
  - INSTALL PROPOSED JUMPERS
  - INSTALL (6) PROPOSED RRUs (2 PER SECTOR)
  - INSTALL (2) PROPOSED OVER VOLTAGE PROTECTION DEVICE (OVP)
  - INSTALL (3) PROPOSED HYBRID CABLE
  - INSTALL PROPOSED CABLE SUPPORT AND CABLE TRAY

- ROOFTOP SCOPE OF WORK:
- INSTALL (1) PROPOSED METAL PLATFORM WITH H-FRAME
  - INSTALL (1) PROPOSED CABLE LADDER TRAY OR CABLE TRAY
  - INSTALL (1) PROPOSED BBU IN CABINET
  - INSTALL (1) PROPOSED EQUIPMENT CABINET
  - INSTALL (1) PROPOSED POWER CONDUIT
  - INSTALL (1) PROPOSED TELCO CONDUIT
  - INSTALL (1) PROPOSED NEMA 3 TELCO-FIBER BOX
  - INSTALL (1) PROPOSED GPS UNIT

**SITE INFORMATION**

PROPERTY OWNER: Tc/P ISLAND VENTURE Lic  
ADDRESS: 501 CARLSON PARKWAY,  
MINNETONKA, MN 55305

TOWER TYPE: ROOFTOP

TOWER CO SITE ID: MNMSP00496A

TOWER APP NUMBER: N/A

COUNTY: HENNEPIN

LATITUDE (NAD 83): 44° 58' 28.64" N  
44.97462300 N

LONGITUDE (NAD 83): -93° 27' 53.46" W  
93.46485000 W

ZONING JURISDICTION: MINNETONKA, CITY OF MN

ZONING DISTRICT: ADMIN REVIEW

PARCEL NUMBER: 0411722140014

OCCUPANCY GROUP: R-1

CONSTRUCTION TYPE: III-B

POWER COMPANY: XCEL ENERGY

TELEPHONE COMPANY: CENTURY LINK

**PROJECT DIRECTORY**

APPLICANT: DISH Wireless L.L.C.  
5701 SOUTH SANTA FE DRIVE  
LITTLETON, CO 80120

ROOFTOP MANAGER: 5G LLC  
8001 WISCONSIN AVENUE  
SUITE 200  
BETHESDA, MD 20814  
Notices@5gllc.net  
SITE ID: 1467-PCPL

SITE DESIGNER: TRILEAF  
1821 WALDEN OFFICE SQUARE  
SCHAUMBURG, IL 60173  
(630)-227-0202

SITE ACQUISITION: BUELL CONSULTING  
(651) 361-8110

CONSTRUCTION MANAGER: MOHAMMED MOHAMMED  
720-456-1043

RF ENGINEER: CHONG LEE  
chong.lee@dish.com



5701 SOUTH SANTA FE DRIVE  
LITTLETON, CO 80120



**TRILEAF**  
architecture | engineering  
1515 DES PERES ROAD, STE 200  
SAINT LOUIS, MISSOURI 63131  
PHONE | 314-997-6111 FAX | 314-997-8086

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 Professional Engineer under the laws of the State of Minnesota.

Print Name: ROGER ALLAN ZIMMER  
Signature: *Roger Allan Zimmer*  
Date: 5.26.22 License #: 51990

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

DRAWN BY: FS CHECKED BY: RZ APPROVED BY: RZ  
RFDS REV #: 2 09/23/2021

**CONSTRUCTION DOCUMENTS**

SUBMITTALS		
REV	DATE	DESCRIPTION
A	08/31/2021	ISSUED FOR REVIEW
B	10/28/2021	ISSUED FOR REVIEW
0	11/23/2021	ISSUED FOR REVIEW
1	01/21/2022	ISSUED FOR REVIEW
2	05/26/2022	ISSUED FOR REVIEW

A&E PROJECT NUMBER  
**682557**

DISH Wireless L.L.C.  
PROJECT INFORMATION  
**MNMSP00496A**  
501 CARLSON PARKWAY,  
MINNETONKA, MN 55305

SHEET TITLE  
TITLE SHEET

SHEET NUMBER  
**T-1**

**SITE PHOTO**



**GOPHER STATE ONE CALL**  
UTILITY NOTIFICATION CENTER OF MINNESOTA  
(800) 252-1166  
WWW.GOPHERSTATEONECALL.ORG

CALL 2 WORKING DAYS UTILITY NOTIFICATION PRIOR TO CONSTRUCTION

**GENERAL NOTES**

THE FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. A TECHNICIAN WILL VISIT THE SITE AS REQUIRED FOR ROUTINE MAINTENANCE. THE PROJECT WILL NOT RESULT IN ANY SIGNIFICANT DISTURBANCE OR EFFECT ON DRAINAGE. NO SANITARY SEWER SERVICE, POTABLE WATER, OR TRASH DISPOSAL IS REQUIRED AND NO COMMERCIAL SIGNAGE IS PROPOSED.

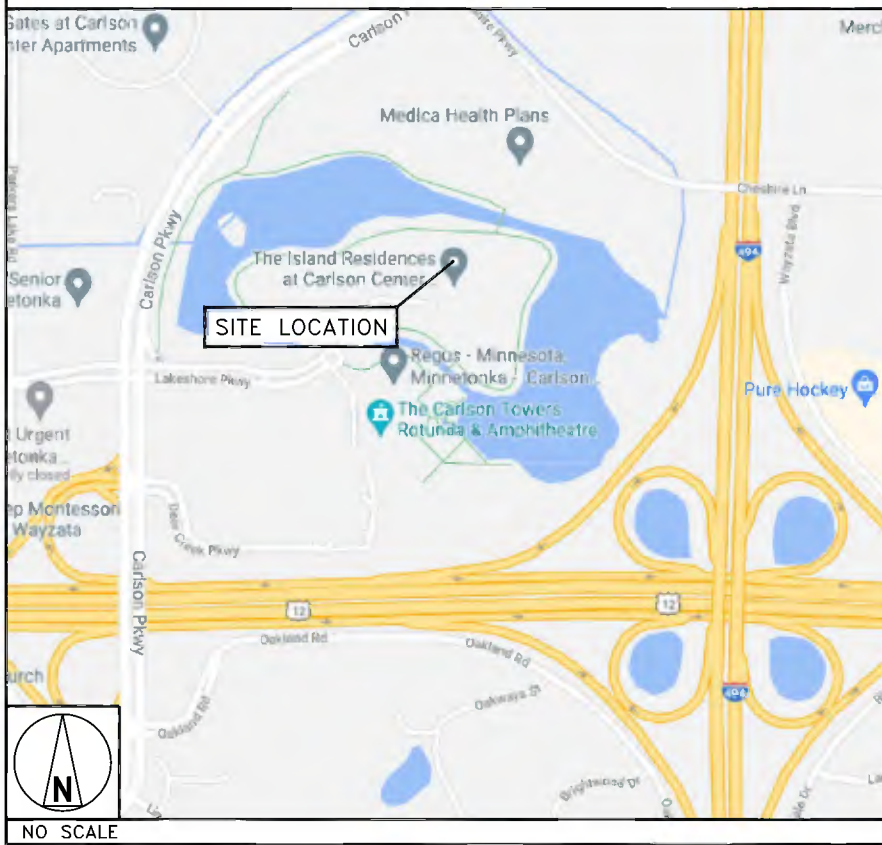
**11"x17" PLOT WILL BE HALF SCALE UNLESS OTHERWISE NOTED**

CONTRACTOR SHALL VERIFY ALL PLANS, EXISTING DIMENSIONS, AND CONDITIONS ON THE JOB SITE, AND SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK.

**DIRECTIONS**

**DIRECTIONS FROM DISH Wireless L.L.C. OFFICE/AIRPORT/DOWNTOWN:**  
GET ON I-694 W/I-94 W IN BROOKLYN PARK FROM BOTTINEAU BLVD. HEAD SOUTHEAST. TURN RIGHT TOWARD CRYSTAL AIRPORT RD. TURN LEFT ONTO CRYSTAL AIRPORT RD. TURN RIGHT ONTO BOTTINEAU BLVD. TURN RIGHT TO MERGE ONTO I-694 W/I-94 W. FOLLOW I-694 W/I-94 W AND I-494 S TO CARLSON PKWY IN MINNETONKA. TAKE EXIT 19B FROM I-494 S. MERGE ONTO I-694 W/I-94 W. USE THE LEFT 2 LANES TO TAKE THE I-494 EXIT. CONTINUE ONTO I-494 S. TAKE EXIT 19B FOR US-12 W TOWARD WAYZATA. KEEP RIGHT, FOLLOW SIGNS FOR CARLSON PKWY/LINNER RD. TAKE LAKESHORE PKWY TO YOUR DESTINATION. USE THE MIDDLE LANE TO TURN LEFT ONTO CARLSON PKWY. TURN RIGHT ONTO LAKESHORE PKWY. AT THE TRAFFIC CIRCLE, TAKE THE 2ND EXIT.

**VICINITY MAP**



**MINNESOTA CODE COMPLIANCE**

ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES:

CODE TYPE	CODE
BUILDING	2015 MINNESOTA BUILDING CODE/2015 IBC
MECHANICAL	2015 MINNESOTA MECHANICAL AND FUEL GAS CODE/2015 IMC
ELECTRICAL	2015 MINNESOTA ELECTRICAL CODE/2017 NEC

**SHEET INDEX**

SHEET NO.	SHEET TITLE
T-1	TITLE SHEET
A-1	OVERALL SITE PLAN
A-2	ENLARGED BUILDING PLAN
A-3	ANTENNA PLAN AND SCHEDULE
A-4	NORTH AND SOUTH ELEVATIONS
A-5	EAST AND WEST ELEVATIONS
A-6	EQUIPMENT PLATFORM AND H-FRAME DETAILS
A-7	EQUIPMENT DETAILS
A-8	EQUIPMENT DETAILS
E-1	ELECTRICAL/FIBER ROUTE PLAN AND NOTES
E-2	ELECTRICAL DETAILS
E-3	ELECTRICAL ONE-LINE, FAULT CALCS & PANEL SCHEDULE
G-1	GROUNDING PLANS AND NOTES
G-2	GROUNDING DETAILS
G-3	GROUNDING DETAILS
RF-1	RF CABLE COLOR CODE
GN-1	LEGEND AND ABBREVIATIONS
GN-2	GENERAL NOTES
GN-3	GENERAL NOTES
GN-4	GENERAL NOTES





5701 SOUTH SANTA FE DRIVE  
LITTLETON, CO 80120



**TRILEAF**  
architecture | engineering

1515 DES PERES ROAD, STE 200  
SAINT LOUIS, MISSOURI 63131  
PHONE | 314-997-6111 FAX | 314-997-8066

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Print Name: ROGER ALLAN ZIMMER  
Signature: *Roger Allan Zimmer*  
Date: 5.26.22 License: 51990

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DRAWN BY: FS CHECKED BY: RZ APPROVED BY: RZ

RFDS REV #: 2 09/23/2021

**CONSTRUCTION DOCUMENTS**

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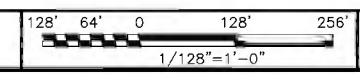
A&E PROJECT NUMBER  
**682557**

DISH Wireless L.L.C.  
PROJECT INFORMATION  
**MNMSP00496A**  
501 CARLSON PARKWAY,  
MINNETONKA, MN 55305

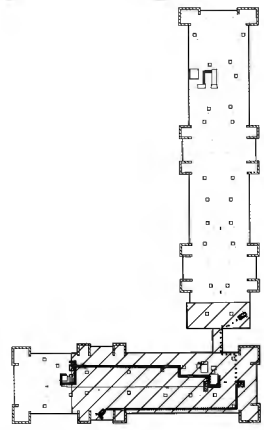
SHEET TITLE  
**OVERALL SITE PLAN**

SHEET NUMBER  
**A-1**

OVERALL SITE PLAN



KEY PLAN



NOTES

1. CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS.
2. CONTRACTOR SHALL MAINTAIN A 10'-0" MINIMUM SEPARATION BETWEEN THE PROPOSED GPS UNIT, TRANSMITTING ANTENNAS AND EXISTING GPS UNITS.
3. CONTRACTOR TO VERIFY WITH DISH Wireless L.L.C. C.M. THE LOCATION OF THE POWER AND FIBER SOURCE PRIOR TO CONSTRUCTION.
4. UTILITY RUBBER MAT TO BE INSTALLED UNDER ALL DISH Wireless L.L.C. EQUIPMENT THAT IS RESTING ON OR AFFIXED TO ROOF MEMBRANE
5. ALL ANTENNAS, CABLING, EQUIPMENT AND MOUNTING APPARATUS VISIBLE FROM GROUND LEVEL SHALL BE PAINTED WITH COLOR SIMILAR TO THE EXISTING ROOFTOP APPURTENANCES.



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FS RZ RZ

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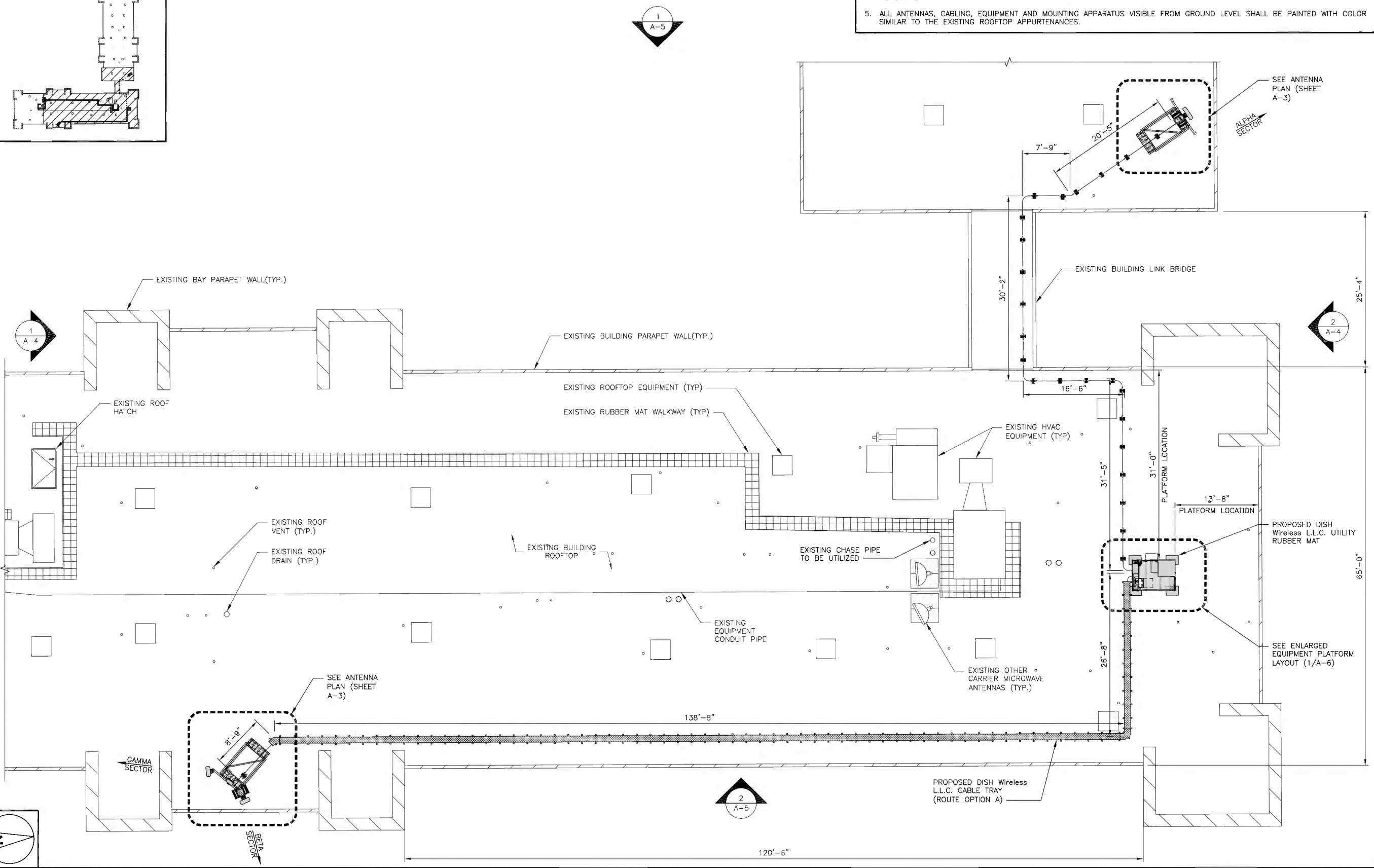
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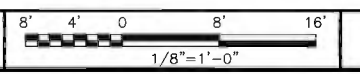
DISH Wireless L.L.C.  
PROJECT INFORMATION  
MNMSPO0496A  
501 CARLSON PARKWAY,  
MINNETONKA, MN 55305

SHEET TITLE  
**ENLARGED BUILDING PLAN**

SHEET NUMBER  
**A-2**



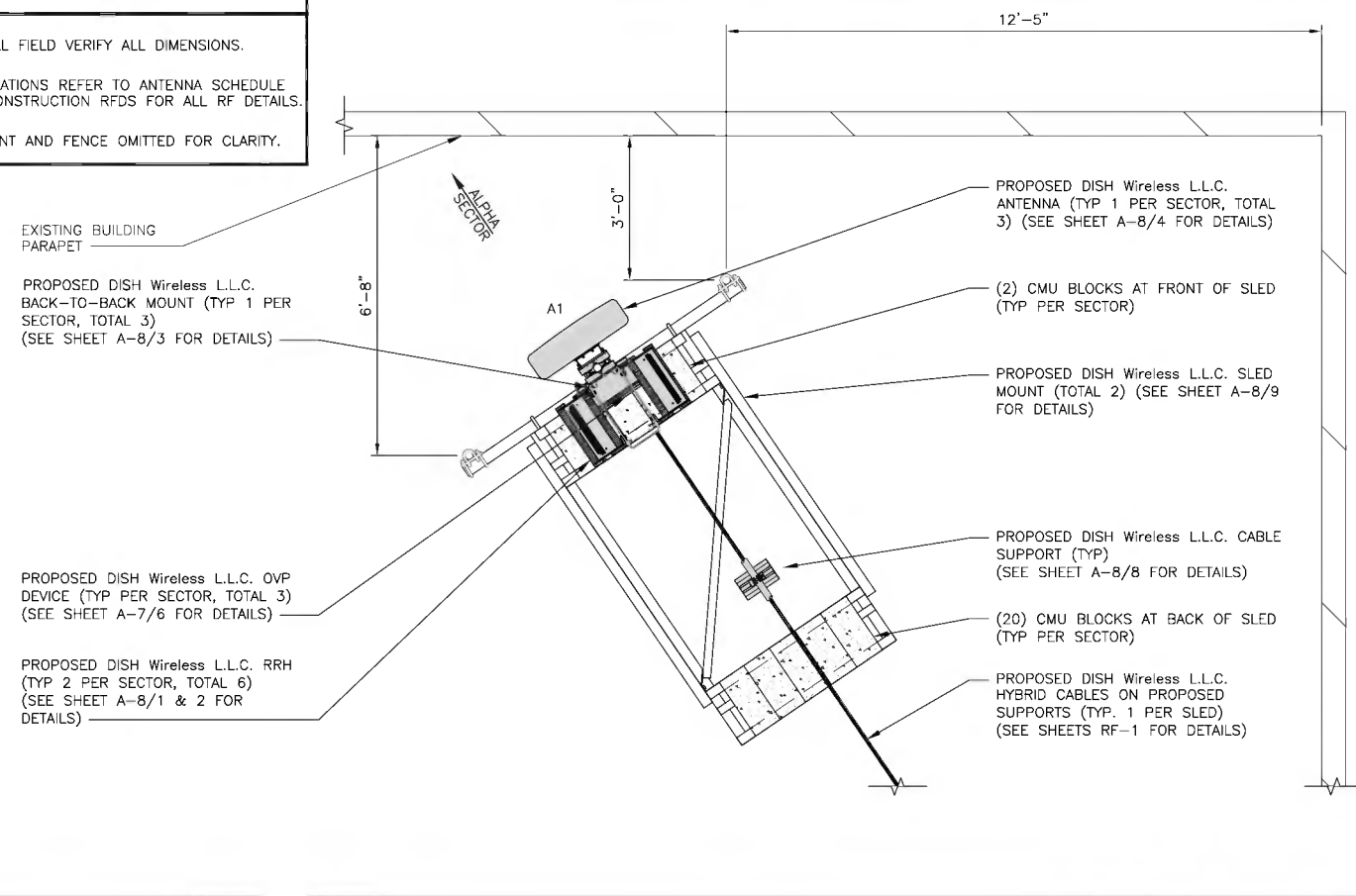
ENLARGED BUILDING PLAN



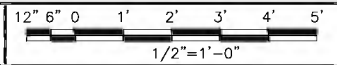


NOTES

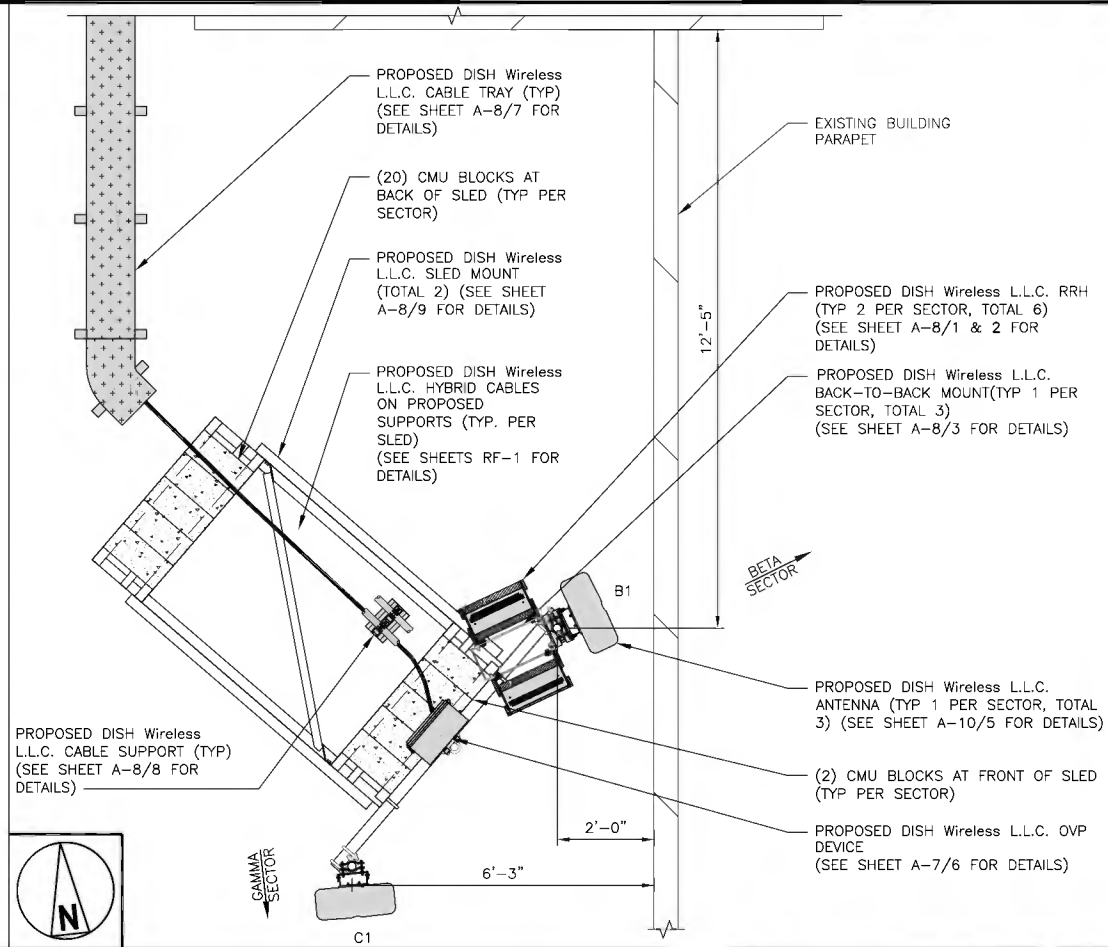
1. CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS.
2. ANTENNA SPECIFICATIONS REFER TO ANTENNA SCHEDULE AND TO FINAL CONSTRUCTION RFDS FOR ALL RF DETAILS.
3. EXISTING EQUIPMENT AND FENCE OMITTED FOR CLARITY.



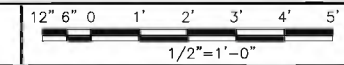
ANTENNA PLAN - ALPHA SECTOR



1



ANTENNA PLAN - BETA AND GAMMA SECTOR



2

SECTOR	POSITION	ANTENNA						TRANSMISSION CABLE	
		EXISTING OR PROPOSED	MANUFACTURER - MODEL NUMBER	TECHNOLOGY	SIZE (HxW)	AZMUTH	RAD CENTER	FEED LINE TYPE AND LENGTH	
ALPHA	A1	PROPOSED	CELLMAX - CX12044x	5G	72.4" x 26.7"	320°	58'-0"	(1) HYBRID CABLE (110'± LONG)	
BETA	B1	PROPOSED	COMMSCOPE - FFV-65B-R2	5G	72.0" x 19.6"	70°	58'-0"	(1) HYBRID CABLES (180'± LONG)	
GAMMA	C1	PROPOSED	COMMSCOPE - FFV-65B-R2	5G	72.0" x 19.6"	180°	58'-0"	SHARED W/ BETA SECTOR	

- NOTES
1. CONTRACTOR TO REFER TO FINAL CONSTRUCTION RFDS FOR ALL RF DETAILS.
  2. ANTENNA OR RRH MODELS MAY CHANGE DUE TO EQUIPMENT AVAILABILITY. ALL EQUIPMENT CHANGES MUST BE APPROVED AND REMAIN IN COMPLIANCE WITH THE PROPOSED DESIGN AND STRUCTURAL ANALYSES.

SECTOR	POSITION	RRH		NOTES
		MANUFACTURER - MODEL NUMBER	TECHNOLOGY	
ALPHA	A1	FUJITSU - TA08025-B605	N71   N29	1. CONTRACTOR TO REFER TO FINAL CONSTRUCTION RFDS FOR ALL RF DETAILS. 2. ANTENNA AND RRH MODELS MAY CHANGE DUE TO EQUIPMENT AVAILABILITY. ALL EQUIPMENT CHANGES MUST BE APPROVED AND REMAIN IN COMPLIANCE WITH THE PROPOSED DESIGN AND STRUCTURAL ANALYSES.
	A1	FUJITSU - TA08025-B604	N70   N66	
BETA	B1	FUJITSU - TA08025-B605	N71   N29	
	B1	FUJITSU - TA08025-B604	N70   N66	
GAMMA	C1	FUJITSU - TA08025-B605	N71   N29	
	C1	FUJITSU - TA08025-B604	N70   N66	

NOT USED

NO SCALE

3

ANTENNA SCHEDULE

NO SCALE

4



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A&E PROJECT NUMBER  
682557

DISH Wireless L.L.C.  
PROJECT INFORMATION  
MNMSPO0496A  
501 CARLSON PARKWAY,  
MINNETONKA, MN 55305

SHEET TITLE  
ANTENNA PLAN  
AND SCHEDULE

SHEET NUMBER  
**A-3**

NOTES

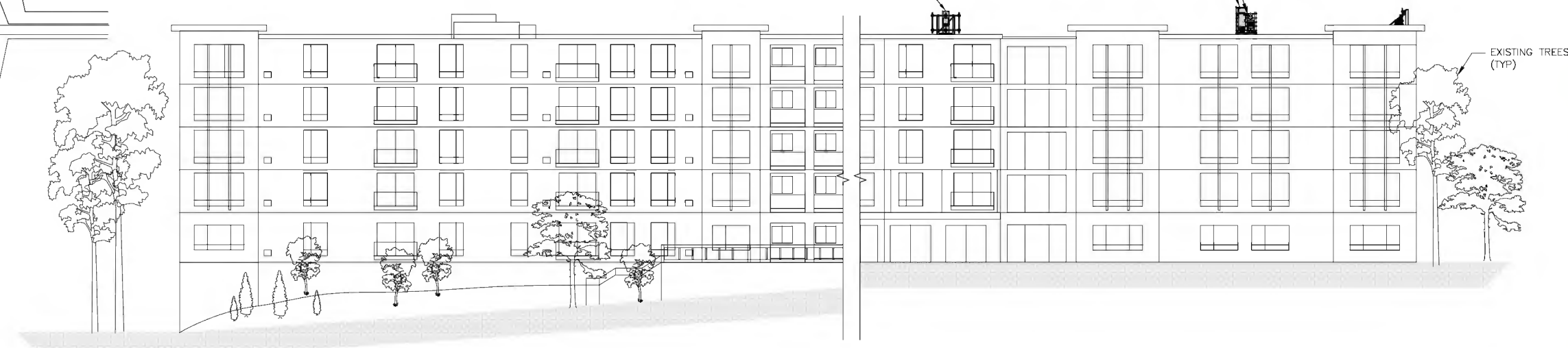
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2. CONTRACTOR SHALL MAINTAIN A 10'-0" MINIMUM SEPARATION BETWEEN THE PROPOSED GPS UNIT, TRANSMITTING ANTENNAS AND EXISTING GPS UNITS.

- PROPOSED DISH Wireless L.L.C. ANTENNAS  
TOP OF ANTENNAS @ 61'-0" AGL
- (1) PROPOSED DISH Wireless L.L.C. ANTENNA  
(TYPICAL PER SECTOR, TOTAL OF 3)  
RAD CENTER @ 58'-0" AGL
- EXISTING BUILDING BAY PARAPET  
57'-4" AGL
- EXISTING BUILDING PARAPET  
54'-6" AGL
- EXISTING BUILDING ROOF  
54'-0" AGL

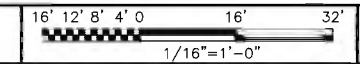
- (3) PROPOSED DISH WIRELESS ANTENNAS
- (2) PROPOSED DISH WIRELESS ANTENNA SLED MOUNTS
- (6) PROPOSED DISH WIRELESS RRU'S
- (3) PROPOSED DISH WIRELESS RRU BACK-TO-BACK MOUNTS AND
- (2) PROPOSED DISH WIRELESS SURGE SUPPRESSION DEVICES (TYP. PER SECTOR)

PROPOSED DISH Wireless L.L.C.  
UTILITY H-FRAME

PROPOSED DISH Wireless L.L.C.  
GPS UNIT



BUILDING NORTH ELEVATION



1

NOTES

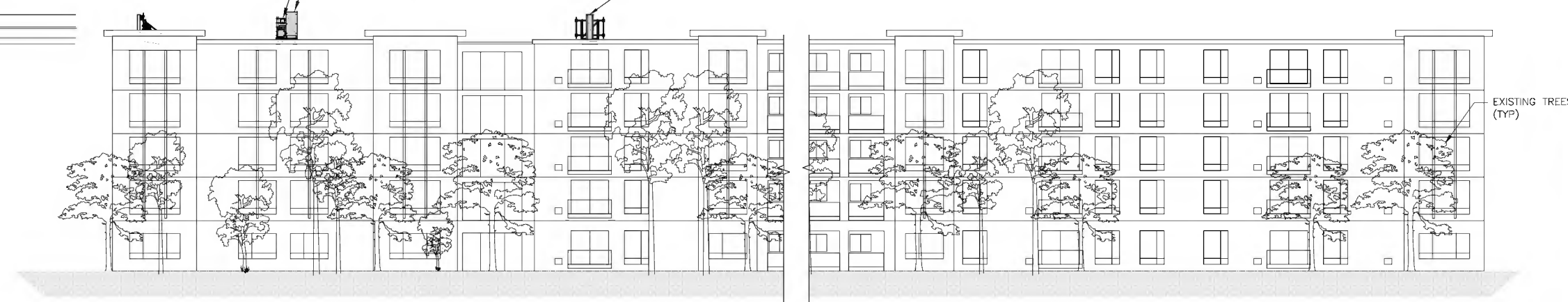
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54'-6" AGL
- EXISTING BUILDING ROOF  
54'-0" AGL

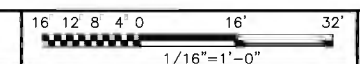
PROPOSED DISH Wireless L.L.C.  
UTILITY H-FRAME

PROPOSED DISH Wireless L.L.C.  
GPS UNIT

- (3) PROPOSED DISH WIRELESS ANTENNAS
- (2) PROPOSED DISH WIRELESS ANTENNA SLED MOUNTS
- (6) PROPOSED DISH WIRELESS RRU'S
- (3) PROPOSED DISH WIRELESS RRU BACK-TO-BACK MOUNTS AND
- (2) PROPOSED DISH WIRELESS SURGE SUPPRESSION DEVICES (TYP. PER SECTOR)



BUILDING SOUTH ELEVATION



2



5701 SOUTH SANTA FE DRIVE  
LITTLETON, CO 80120



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1515 DES PERES ROAD, STE 200  
SAINT LOUIS, MISSOURI 63131  
PHONE | 314-997-6111 FAX | 314-997-8066

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A&E PROJECT NUMBER  
682557

DISH Wireless L.L.C.  
PROJECT INFORMATION  
MNMSPO0496A  
501 CARLSON PARKWAY,  
MINNETONKA, MN 55305

SHEET TITLE  
NORTH AND SOUTH  
ELEVATIONS

SHEET NUMBER  
**A-4**

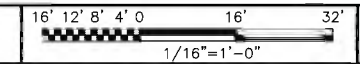


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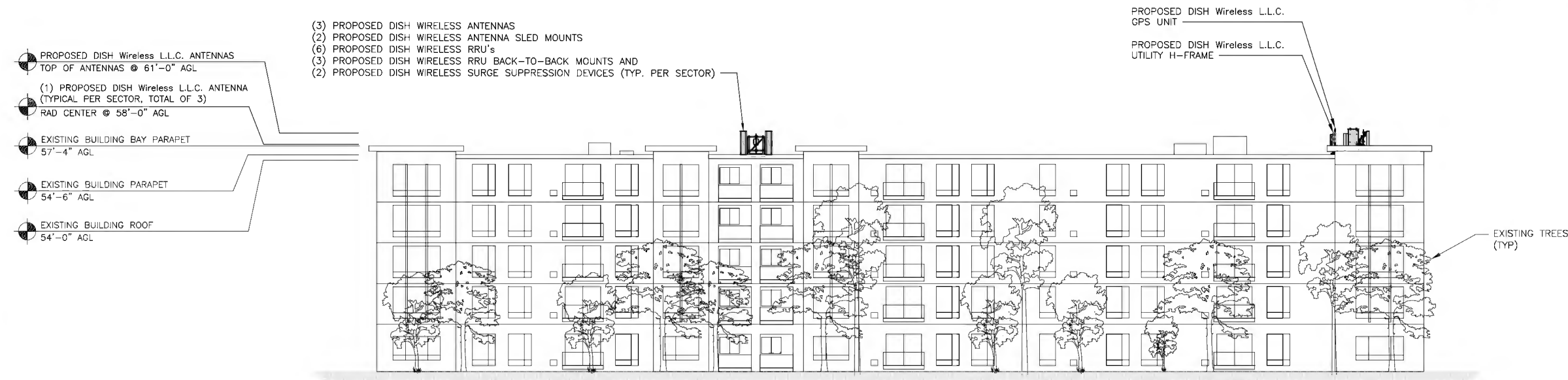
BUILDING EAST ELEVATION



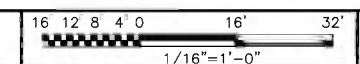
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NOTES

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BUILDING WEST ELEVATION



2



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FS	RZ	RZ

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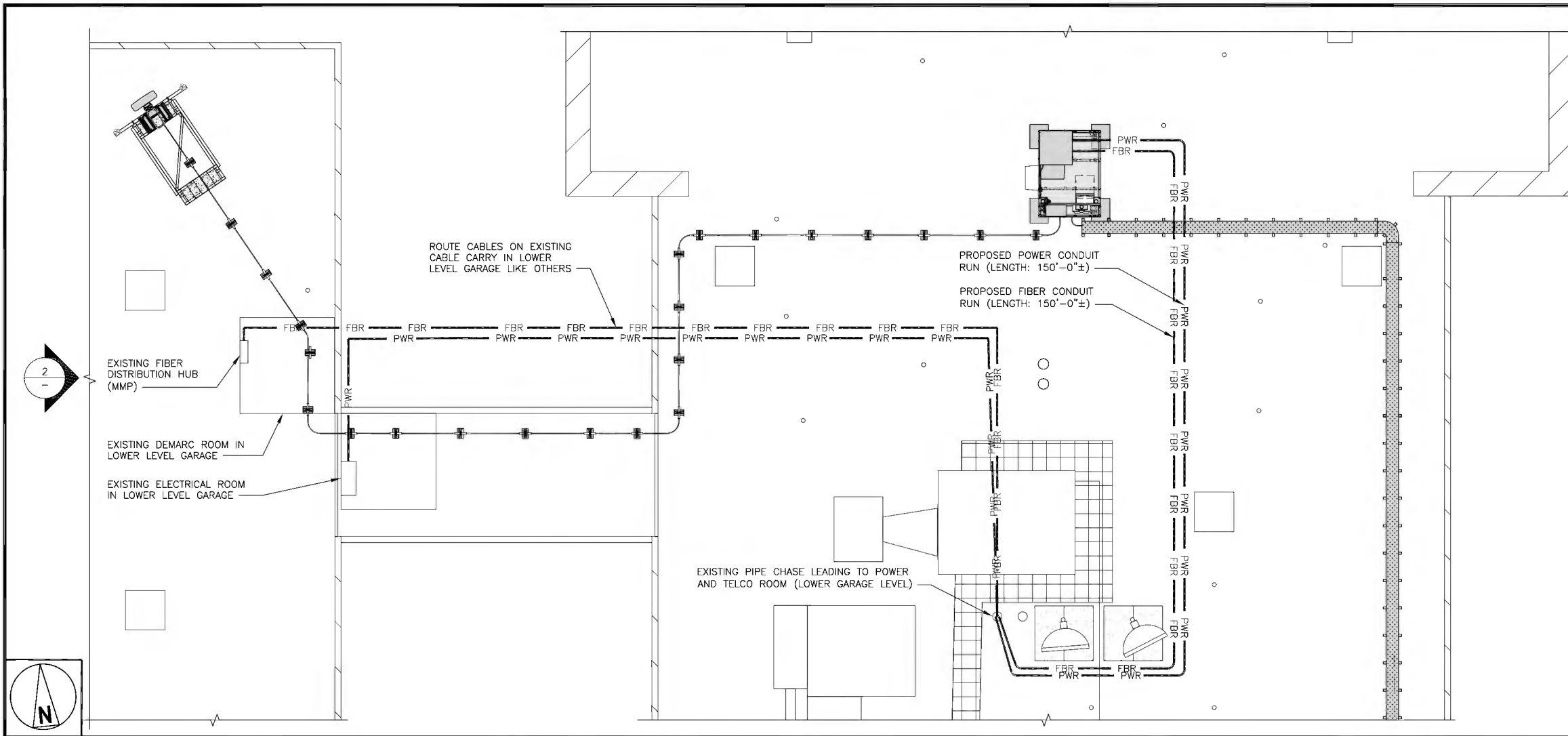
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MNMSPO0496A  
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MINNETONKA, MN 55305

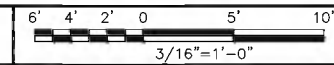
SHEET TITLE  
EAST AND WEST  
ELEVATIONS

SHEET NUMBER  
**A-5**



NOTE  
CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS.

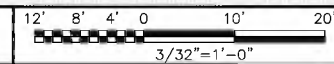
UTILITY ROUTE PLAN



1



UTILITY ROUTE ELEVATION



2



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LITTLETON, CO 80120



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A&E PROJECT NUMBER  
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DISH Wireless L.L.C.  
PROJECT INFORMATION  
**MNMSPO0496A**  
501 CARLSON PARKWAY,  
MINNETONKA, MN 55305

SHEET TITLE  
**ELECTRICAL/FIBER ROUTE PLAN AND NOTES**

SHEET NUMBER  
**E-1**





Aerial View

501 Carlson Parkway,  
Minnetonka, MN 55305







## Point 1 - Existing View

501 Carlson Parkway,  
Minnetonka, MN 55305







## Point 1 - Proposed View

501 Carlson Parkway,  
Minnetonka, MN 55305







Point 2 - Existing View

501 Carlson Parkway,  
Minnetonka, MN 55305



Disclaimer: This photo simulation is an artist's depiction of a future installation. The actual construction may vary slightly in size, layout, color and texture from this simulation.

682557





Point 2 - Proposed View

501 Carlson Parkway,  
Minnetonka, MN 55305



Disclaimer: This photo simulation is an artist's depiction of a future installation. The actual construction may vary slightly in size, layout, color and texture from this simulation.

682557





### Point 3 - Existing View

501 Carlson Parkway,  
Minnetonka, MN 55305







## Point 3 - Proposed View

501 Carlson Parkway,  
Minnetonka, MN 55305





# OWL ENGINEERING & EMC TEST LABS, INC.

CONSULTING COMMUNICATIONS ENGINEERS · EMC TEST LABORATORIES

5844 Hamline Avenue North, Shoreview, MN 55126  
651-784-7445 • Fax 651-784-7541

June 15, 2023

City of Minnetonka  
Susan M. Thomas, Assistant City Planner  
14600 Minnetonka Blvd.  
Minnetonka, MN 55435

Reference: Intermodulation Study for Dish Wireless for the 501 Carlson Parkway

Dear Ms. Susan M. Thomas:

As an independent consulting engineering firm, I have completed the intermodulation (interference) study on the proposed Dish Wireless communications system for the addition of new antennas on the roof-top<sup>1</sup>.

The analysis was performed on the proposed installation of the Dish Wireless communications system on the roof-top. Because of the large amount of potential frequencies available with the technologies proposed a random subset of each of these types of technologies was selected for the analysis. There were no other existing carriers at this location. Additionally, I included any frequencies used by the County, Public Works and Public Safety even if they were not installed on the roof-top.

The City communications systems considered were: KNGD871, KNGD872, KNGD873, KNJT959, WNLC505, WNTR568 and WNTY307. The data was obtained by performing a search of the Federal Communications Commission frequency data base<sup>2</sup>, the expired licenses listed were not included in the analysis. These frequencies were considered so if a mobile unit passed nearby or if they were mounted on the roof-top in the future, protection was considered.

The study shows that there are mathematically predicted interference intermodulation products generated from combinations of existing City, County and proposed channels at this site. However, there are no predicted (low order) interference intermodulation products generated from combinations of existing and proposed channels at this site. When the proposed communications facility is constructed, antenna separation, antenna pattern directionality properties and equipment filtering will further reduce the potential of intermodulation induced interference.

<sup>1</sup> Site Location N 44° 58' 28.8" W 93° 27' 53.4" on 501 Carlson Parkway

<sup>2</sup> Federal Communications Commission, Wireless Telecommunications Bureau – “*Universal Licensing System*”





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This analysis is a mathematical study and will not account for interference mitigation that will occur due to the differences in technologies and equipment configurations and filtering. This study assumes a worst-case scenario using as many as five transmitters operating simultaneously (which is a rare occurrence).

I also reviewed the site plans to determine if there were any potential interference problems caused by the location of the new antennas. I did not see any problems with the proposed antenna locations/positions.

In summary, the use of good engineering and installation practices should mitigate any interference to any existing communications systems with the construction of the new equipment on the roof-top and it is my opinion that the Dish Wireless communications system added frequencies should not cause any harmful interference problems on any of the existing city communications systems.

This analysis did not compute or review any RF radiation values either predicted or measured on the roof-top.

If you have any questions in this matter please contact me.

Sincerely,

A handwritten signature in black ink that reads "Garrett G. Lysiak". The signature is written in a cursive, flowing style.

Garrett G. Lysiak, P.E.

## Resolution No. 2023-0XX

### Resolution approving a conditional use permit for telecommunication antennas and accessory equipment at 501 Carlson Parkway

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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 501 Carlson Parkway. It is legally described as:

Lot 1, Block 1, CARLSON CENTER SEVENTEENTH ADDITION

1.02 Dish Wireless is proposing to install telecommunication antennas and accessory equipment on the roof of the Island Residences, located on the subject property

1.03 On July 6, 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, 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 §310.03 Subd.7(a) and (c) outline the following general conditional use permit standards for telecommunication towers located outside of the public right-of-way.

1. Service Provider. A telecommunications service provider must be identified for the proposed telecommunication facility and must occupy the facility within twelve months of approval.
2. Lighting. Telecommunications facilities may not be artificially illuminated unless required by law or by a governmental agency to protect the public's health and safety or, unless necessary, to facilitate service to ground-mounted equipment.
3. Construction. Facilities and equipment must be constructed in compliance with applicable building and electrical code requirements. The structural design, mounting, and installation of the telecommunication facility must comply with the manufacturer's specifications.

4. Projections. Antennas may not project out from an antenna support structure or tower unless it is physically impossible to locate the antenna with the structure or tower, in which case they may not project out more than three feet. Facilities located on transmission towers, water towers or buildings may not extend more than 15 feet above the structure to which they are attached. Wall or façade-mounted antennas may not extend above the building cornice line.
5. Accessory equipment is subject to the following:
  - a) Equipment or buildings must meet minimum setback requirements established for accessory structures in the associated zoning district.
  - b) Equipment or buildings must be designed to blend in with the surrounding natural or built environment or must be screened from view by suitable vegetation, except where a design of non-vegetative screening better reflects and complements the character of the surrounding neighborhood.
  - c) No more than one accessory building is permitted for each tower. If additional space is needed to accommodate the co-location of antennas, the existing accessory building must be expanded, or a new accessory building must be constructed adjacent and complementary to the existing building.

2.02 City Code §310.03 Subd.8(b) outlines the following specific conditional use permit standards for telecommunication towers located outside of the public right-of-way.

1. Location.
  - a) General. Facilities must be located in an area that will meet the applicant's reasonable coverage and capacity needs. However, the city may require that a different location be used if it would result in less public visibility, is available, and would continue to meet the applicant's reasonable capacity and coverage needs.
  - b) Zoning Districts. Facilities may be located within any zoning district. However, on properties guided by low-density residential, telecommunication towers may only be located on public or institutional property.
  - c) Setbacks. Towers located adjacent to low or medium-density residential properties must meet the minimum setback requirements established for principal structures within the associated residential zoning district, but only from the property line abutting the residential district. The city council may waive the setback requirement if necessary to implement stealth design



techniques. Accessory equipment must meet minimum setback requirements established for accessory structures within the zoning district.

2. Design

- a) **Stealth Design.** Facilities must use as many stealth design techniques as reasonably possible. Economic considerations alone are not justification for failing to provide stealth design techniques.
- b) **Collocation.** New telecommunication towers must be designed to accommodate more than one telecommunication provider at more than one height within the tower unless it is physically impossible or impractical to do so at the tower's proposed location. In addition, the applicant, tower owner, landlord, and their successors must agree in writing to (1) meet reasonable terms and conditions for shared use; (2) submit a dispute over the potential terms and conditions to binding arbitration.
- c) **Height.** Maximum tower height, excluding lightning rods, is restricted based on the land use designation of the property on which the tower is located:

<b>Land Use Designation</b>	<b>Single-User Tower</b>	<b>Multiple-User Tower</b>
Low/Medium Density Residential	60 ft	90 ft
High-Density Residents	75 ft	90 ft
Office, Commercial	75 ft	90 ft
Industrial	150 ft	150 ft
Institutional	60 ft	90 ft

The city council may increase the height if the applicant can demonstrate that the increase would not have a significant impact on surrounding properties because of things like proximity, topography, or screening by trees or buildings. The council may likewise waive height restrictions for towers wholly or partially for essential public services, such as public safety.

- d) **Projections.** Antennas may not project out from an antenna support structure or tower unless it is physically impossible to locate the antenna with the structure or tower, in which case they may not project out more than three feet. Facilities located on transmission towers, water towers, or buildings may not extend more than 15 feet above the structure to which they are attached. Wall or façade-mounted antennas may not extend above the building cornice line.

- e) Color. Tower, antennas, and support structures must be painted a non-contrasting color consistent with the surrounding area, such as gray, brown, or silver, or have a galvanized finish to reduce visual impact. Metal towers must be constructed of, or treated with, corrosion-resistant material.

Section 3. Findings.

3.01 The proposal would meet the general standards outlined in City Code §310.03 Subd.7(a) and 7(c):

1. Dish Wireless is identified as the initial service provider.
2. Lighting is not proposed or required.
3. As a condition of this resolution, the facility and its equipment must be constructed in compliance with applicable building and electrical code requirements. The structural design, mounting, and installation of the telecommunication facility must be in compliance with the manufacturer's specifications.
4. The proposed antennas would project out from their support by three feet and above the roof of the existing building by roughly four feet. The antennas would not be visible from the ground.
5. Accessory equipment would be located on the roof of the existing building.

3.02 The proposal would meet the specific standards outlined in City Code §310.03 Subd.8(b):

1. Location.
  - a) The proposed Dish Wireless installation would provide reasonable coverage and capacity. The staff is unaware of other Dish installations of this type in the vicinity.
  - b) The subject property is zoned PID, planned I-394 District.
  - c) A tower facility is not proposed. As such, the setback standards are not applicable.
2. Design.
  - a) The proposed antennas and equipment would not be visible from the ground and, from above, would be similarly sized to other roof-top equipment.
  - b) A tower facility is not proposed. As such, the collocation standard is not applicable.

- c) A tower facility is not proposed. As such, the tower height standard is not applicable.
- d) The proposed antennas would project out from their support by three feet and above the roof of the existing building by roughly four feet, consistent with this provision.
- e) As a condition of this resolution, the antennas and support equipment must be of a color consistent with existing roof-top equipment.

Section 4. City Council Action.

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

1. This resolution must be recorded with Hennepin County.
2. A building permit is required. Subject to staff review, the plans submitted for permit approval must be in substantial conformance with Site ID MNMSP00496A construction plan set, dated May 26, 2022.
3. The antennas and accessory equipment must be of a color consistent with existing roof-top equipment. They must be constructed in compliance with applicable building, plumbing, and electrical code requirements. The structural design, mounting, and installation of the telecommunication facility must be in compliance with the manufacturer's specifications.
4. The city council may reasonably add or revise conditions to address any future unforeseen problems.
5. Any change to the approved use resulting 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 July 17, 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:

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Minnetonka, Minnesota, at a meeting held on July 17, 2023.

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

**MINNETONKA PLANNING COMMISSION**  
**July 6, 2023**

**Brief Description**            Conditional use permit for a telecommunication tower at 6120 Blue Circle Drive.

**Recommended Action**    Recommend the city council adopt the resolution approving the permit.

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**Proposal**

Buell Consulting Inc., on behalf of CTI Tower Assets II and AT&T, is requesting a conditional use permit to install a 150-foot telecommunication tower on the property at 6120 Blue Circle Drive. This tower would replace an existing tower – located 0.25 miles to the east – that is being decommissioned. The proposed tower would be 150 feet in height and have a stealth design, with all tower components internally mounted.

This exact proposal was approved in 2021 for Buell Consulting Inc., on behalf of CTI Tower Assets II and AT&T, for a telecommunication tower on the adjacent property at 6110 Blue Circle Drive. That tower was not constructed. The applicant is now requesting to change the location of the tower, which requires a conditional use permit for the new property, 6120 Blue Circle Drive. The location is the only proposed change to the plans approved with the 2021 conditional use permit.

**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. These 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 tower generally reasonable?**

Yes. The proposal would meet the general and specific conditional use permit standards for telecommunication towers. These standards are outlined in the "Supporting Information" section of this report. Further, the city's telecommunications consultant reviewed the proposal. Among other things, the consultant report concluded that the tower:

- ✓ It would provide coverage to eliminate an existing poor coverage area and would enhance existing coverage and capacity;
- ✓ It is not predicted to cause interference to any protected telecommunication/radio frequency in the area;
- ✓ It is not predicted to be a radiofrequency radiation hazard.



- **Does the city have discretion in regulating telecommunication towers?**

Yes. The city has little to no discretion on the location of small cell wireless facilities within public rights-of-way; federal and state legislation preempts local authority for such facilities. The city has more discretion when it comes to regulating large telecommunication towers such as the one proposed by the applicant. This discretion is codified in the CUP standards in the telecommunication ordinance.<sup>1</sup> In other words, the city cannot arbitrarily choose to approve or deny a CUP application. Rather, the decision to approve or deny must be based on a determination of compliance with the standards the city has already established in the city code.

**Staff Recommendation**

Recommend the city council adopt the resolution approving a conditional use permit for a telecommunications tower at 6120 Blue Circle Drive.

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

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<sup>1</sup> City Code § 310.03 Subd. 8 – Telecommunication tower conditional use permit standards

## Supporting Information

**Subject Property** The subject property is zoned I-1, industrial, and has a mixed-use land use designation in the Comprehensive Guide Plan. It is surrounded by other offices and industrial sites to the south and east and by high-density residential to the north.

**Telecomm. Act** Under the federal Telecommunications Act, the city cannot:

- ✓ Specifically, prohibit telecommunication facilities;
- ✓ Discriminate among providers; or
- ✓ Cite environmental concerns as a reason for denial when a facility complies with Federal Communications Commission (FCC) rules.

**CUP Standards** The proposal would meet the general standards for telecommunication towers outlined in both City Code §310.03 Subd.7(a) and 7(c):

1. Service Provider. A telecommunications service provider must be identified for the proposed telecommunication facility and must occupy the facility within twelve months of approval.

**Finding:** AT&T is identified as the initial service provider.

2. Lighting. Telecommunications facilities may not be artificially illuminated unless required by law or by a governmental agency to protect the public's health and safety or, unless necessary, to facilitate service to ground-mounted equipment.

**Finding:** Lighting is not proposed or required.

3. Construction. Facilities and equipment must be constructed in compliance with applicable building and electrical code requirements. The structural design, mounting, and installation of the telecommunication facility must be in compliance with the manufacturer's specifications.

**Finding:** This is included as a condition of approval.

4. Projections. Antennas may not project out from an antenna support structure or tower unless it is physically impossible to locate the antenna with the structure or tower, in which case they may not project out more than three feet. Facilities located on transmission towers, water towers or buildings may not extend more than 15 feet above the structure to which they are attached. Wall or façade-mounted antennas may not extend above the building cornice line.

**Finding:** Projections of more than three feet are not proposed.

5. Accessory equipment is subject to the following:

- a. Equipment or buildings meet minimum setback requirements established for accessory structures in the associated zoning district.

**Finding:** The accessory equipment would be located roughly 50 feet from the north property line and roughly 120 feet from the right-of-way, meeting the 10-foot setback required from adjacent industrially-zoned properties and a 20-foot setback from the right-of-way.

- b. Equipment or buildings must be designed to blend in with the surrounding natural or built environment or must be screened from view by suitable vegetation, except where a design of non-vegetative screening better reflects and complements the character of the surrounding neighborhood.

**Finding:** The proposal will include vegetative screening. A condition has been added that the fence around the accessory equipment must be opaque.

- c. No more than one accessory building is permitted for each tower. If additional space is needed to accommodate the co-location of antennas, the existing accessory building must be expanded, or a new accessory building must be constructed adjacent and complementary to the existing building.

**Finding:** No accessory building is proposed.

The proposal would also meet the specific standards for telecommunication towers outlined in City Code §310.03 Subd.8(b)

1. Location.

- a. Design. General. Facilities must be located in an area that will meet the applicant's reasonable coverage and capacity needs. However, the city may require that a different location be used if it would result in less public visibility, is available, and would continue to meet the applicant's reasonable capacity and coverage needs.

**Finding:** Analysis provided by both the applicant and the city's consultant indicates that: (1) the proposed location would reasonably meet AT&T's coverage and capacity needs, and (2) there are no other existing support structures available in the coverage area.

- b. Zoning Districts. Facilities may be located within any zoning district. However, on properties guided by low-density residential, telecommunication towers may only be located on public or institutional property.

**Finding:** The subject property is zoned I-1, Industrial.

- c. Setbacks. Towers located adjacent to low or medium-density residential properties must meet the minimum setback requirements established for principal structures within the associated residential zoning district, but only from the property line abutting the residential district. The city council may waive the setback requirement if necessary to implement stealth design techniques. Accessory equipment must meet minimum setback requirements established for accessory structures within the zoning district.

**Finding:** The proposed tower would be located adjacent to an easement abutting an industrial property.

## 2. Design

- a. Stealth Design. Facilities must use as many stealth design techniques as reasonably possible. Economic considerations alone are not justification for failing to provide stealth design techniques.

**Finding:** The proposed tower would have a fully enclosed design; all components would be located within the tower.

- b. Collocation. New telecommunication towers must be designed to accommodate more than one telecommunication provider at more than one height within the tower unless it is physically impossible or impractical to do so at the tower's proposed location. In addition, the applicant, tower owner, landlord, and their successors must agree in writing to (1) meet reasonable terms and conditions for shared use; (2) submit a dispute over the potential terms and conditions to binding arbitration.

**Finding:** Space would be available for at least one additional provider.

- c. Height. Maximum tower height, excluding lightning rods, is restricted based on the land use designation of the property on which the tower is located:

Land Use Designation	Single-User Tower	Multiple-User Tower
Low/Medium Density Residential	60 ft	90 ft
High-Density Residents	75 ft	90 ft



Office, Commercial	75 ft	90 ft
Industrial	150 ft	150 ft
Institutional	60 ft	90 ft

The city council may increase height if the applicant can demonstrate that the increase would not have a significant impact on surrounding properties because of things like proximity, topography, or screening by trees or buildings. The council may likewise waive height restrictions for towers wholly or partially for essential public services, such as public safety.

**Finding:** The proposed tower would be 150 feet in height, meeting this height standard for towers within the industrial district.

- d. Projections. Antennas may not project out from an antenna support structure or tower unless it is physically impossible to locate the antenna with the structure or tower, in which case they may not project out more than three feet. Facilities located on transmission towers, water towers, or buildings may not extend more than 15 feet above the structure to which they are attached. Wall or façade-mounted antennas may not extend above the building cornice line.

**Finding:** The proposed tower would have a fully enclosed design; all components would be located within the tower.

- e. Color. Tower, antennas, and support structures must be painted a non-contrasting color consistent with the surrounding area, such as gray, brown, or silver, or have a galvanized finish to reduce visual impact. Metal towers must be constructed of or treated with corrosion-resistant material.

**Finding:** The proposed tower would have a galvanized finish.

**Neighborhood Comments**

The city sent notices to 21 area property owners and received no written comments to date.

**Commission Action**

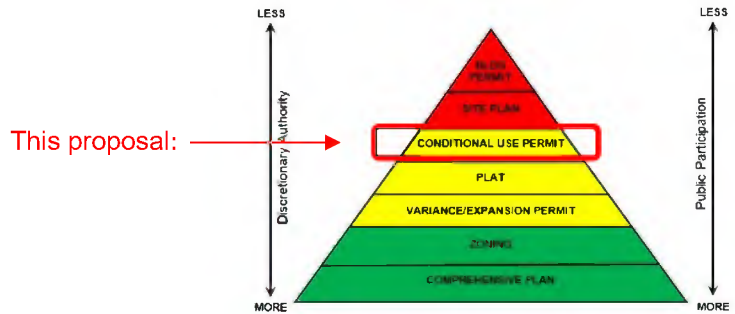
The planning commission will make a recommendation to the city council; a recommendation requires a majority vote of the commission. The planning commission has the following options:

1. Concur with staff's recommendation. In this case, a motion should be made recommending the city council adopt the resolution approving the request.
2. Disagree with the staff's recommendation. In this case, a motion should be made recommending the city council deny the request. The motion should include findings for denial.



- 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.

**Pyramid of Discretion**



**Deadline for Action**

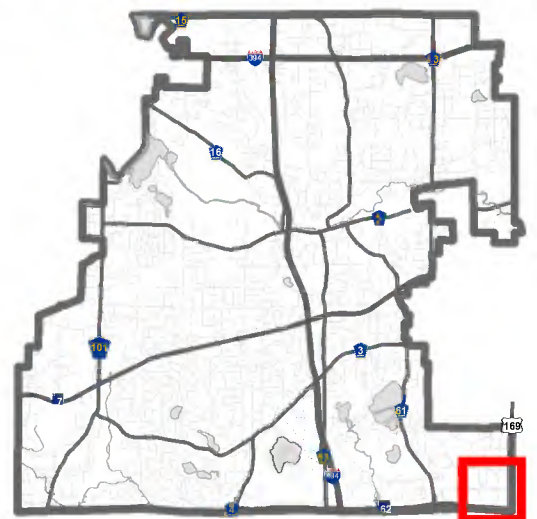
Sept. 9, 2023





### Location Map

Project: CTI Towers  
Address: 6120 Blue Circle Drive







**BUELL CONSULTING, INC.**  
720 Main Street, Suite 200  
Saint Paul, MN 55118  
(651) 361-8110  
[www.buellconsulting.com](http://www.buellconsulting.com)

Friday, June 9, 2023

City of Minnetonka, MN  
Attn: Bria Raines, Planner  
14600 Minnetonka Blvd.  
Minnetonka, MN 55345

RE: CUP Application for New Stealth Tower Site – CTI Towers Ref. OPUS Relo or Edina Relo  
Property: Hennepin County PID 36-117-22-43-0018; Address: 6120 Blue Circle Drive,

Dear Ms. Raines, the City of Minnetonka Planning Commission, and the City of Minnetonka City Council,

On behalf of CTI Towers, Buell Consulting hereby submits this revised Conditional Use Application for a Telecommunications Facility on the property with Hennepin County PID 36-117-22-43-0018, address of 6120 Blue Circle Drive, and owned by Zuhrah Temple Trustees Inc. This application is revised from the May, 2023 application and reflects a revised location for our proposed tower site on the same property to meet the City's accessory structure setback requirements.

Enclosed with this letter are the following items:

1. Zoning Narrative (see immediately following pages) explaining how our proposed project complies with the City of Minnetonka Telecommunication Facility Conditional Use Permit Application requirements and the City's zoning ordinance as it relates to towers, and including the Written Statement as required by the application
2. CUP application fee in the amount \$850, previously provided with our May CUP application
3. Escrow fee in the amount \$1,000, previously provided with our May CUP application
4. CUP application form completed and signed by the owner, and by me on behalf of the applicant
5. Deed of subject property including legal description of the same
6. Revised Site Survey for the proposed Telecommunication Facility
7. Revised Site Plans by Design 1 of Eden Prairie, LLC, dated 6/8/2023, including landscaping and fence information
8. Revised photo simulation showing existing and proposed simulated views
9. Coverage map from AT&T Radiofrequency Engineer showing existing coverage from existing temporary tower site, coverage when existing temporary site gets taken down, and coverage from this new proposed facility

**Please do not hesitate to call for any clarifications or additional questions related to any of the CUP application materials, and please confirm when you consider our application complete.**

Sincerely,

A handwritten signature in blue ink, appearing to read "Scott Buell", is written over a light blue horizontal line.

Scott Buell  
Site Development Agent on behalf of CTI Towers

Phone: 651-225-0793  
Email: [sbuell@buellconsulting.com](mailto:sbuell@buellconsulting.com)

Encl.



**Zoning Narrative**  
**Conditional Use Permit Application for Telecommunication Facility**  
 Hennepin County PID 36-117-22-43-0018

This zoning narrative is included to state how our application complies with the requirements of the Conditional Use Permit Application for a Telecommunication Facility and with the City of Minnetonka Code of Ordinances.

Telecommunications Facility Conditional Use Permit Application Submittal Requirements:

- **Telecommunications Facility Conditional Use Permit Application:** This has been included with this narrative and signed by both the owner and the applicant
- **Application Fee:** Check in the amount of \$850 previously provided with our May CUP application
- **Escrow Fee:** Check in the amount of \$1,000 previously provided with our May CUP application
- **Legal Description:** the Warranty Deed with eCRV number 300160 recorded on December 22, 2014 with the Office of the Hennepin County Recorder, is included with this application package, and the description is as follows: Lot 1, Block 11, Opus II 1<sup>st</sup> Addition, except that part of said Lot 1 lying Easterly of a line drawn parallel with and 25 feet Westerly of the East line of said Lot 1 (measured at right angles to said East line), according to the recorded plat of said Opus II 1<sup>st</sup> Addition, Hennepin County, MN.
- **Survey:** a revised site survey performed by Sambatek dated 6/7/2023 is included with this application
- **Site Plan:** revised site plans by Design 1 of Eden Prairie, LLC dated 6/7/2023 are included
- **Landscape Plan:** landscaping plans are included on the aforementioned Site Plans included with this package, as shown on Sheet 2 and Sheet 2.1.
- **Written Statement:** please see below for our written statement describing the intended use of the property and the impetus for this project
- **Other Items As Required:** On other applications in the last few years, City staff has stated that a propagation map describing the coverage to be provided by our proposed telecommunication facility be included with this application, so we have enclosed a coverage map prepared by the AT&T Radiofrequency Engineer showing coverage that existed at the former (now decommissioned site) near Highway 169, coverage with that site turned off, and coverage provided by having this new proposed permanent facility. Note that this area of the City of Minnetonka will experience an improvement in in-building coverage due to the relocation of this AT&T site relative to the coverage that used to exist when the previous tower on the HealthEast property near Hwy 169 was operable.

Written Statement:

CTI Towers intends to develop a 150'-tall stealth monopole telecommunication tower within a 20'x40' lease area enclosed with a privacy fence, located in the southeast corner of the subject property, together with access and utility easements between Blue Circle Drive and the tower site. This new telecommunication facility will replace an existing facility on a property owned by United Health Group approximately 1500' east of the proposed new facility, and which existing facility will be taken down later this year.

Telecommunication Facility allowed as a Conditional Use:

According to Section 310.03, "Telecommunication Facilities Regulations," of the City of Minnetonka Code of Ordinances, subdivision 5.b) states that new telecommunications towers are conditional uses in all zoning districts, subject to the conditions outlined in subdivision 8, which are also excerpted and annotated below.

This Proposed Telecommunication Facility Meets All Applicable Performance Standards:

- **Setbacks:** The subject property is zoned I-1, and according to Section 300.20 subdivision 5, the front setback for principal structures is 35', and the side and rear setbacks are 20' when adjacent to industrial properties (both adjacent parcels to east and north are also zoned I-1, as well as properties across the street). Additionally, the City has stipulated that our proposed structure will be treated as an accessory structure, and therefore must be setback no closer than the front building envelope of the current existing principal



structure, which we have done with our revised placement as shown on the enclosed drawings and survey. The proposed tower structure and the entirety of the fenced enclosed space at the base of the tower will meet these dimensional standards as shown on the enclosed site plans.

- **Tower-Specific Standards:** Tower-specific standards are listed in Section 310.03, “Telecommunication Facilities Regulations,” of the City of Minnetonka Code of Ordinances, subdivision 8 “Standards; Conditional Uses”, which are as follows (cited ordinance language is in *blue italics*, our responses are in normal font):
  - b) Non-Small Cell Wireless Facilities. Conditionally-permitted, non-small cell wireless facilities are subject to the requirements in subdivision 7(c) above and the following:

- 1) *Location.*

- a. *Design. General. Facilities must be located in an area that will meet the applicant's reasonable coverage and capacity needs. However, the city may require that a different location be used if it would result in less public visibility, is available, and would continue to meet the applicant's reasonable capacity and coverage needs.*

This project is a replacement site for an existing tower that was already removed in 2021 from a property on HealthEast’s campus near Hwy 169, and replaced for now by a temporary installation on this same property. We are attempting to build a new permanent structure to replace the temporary tower site, and this is the best location we were able to secure for this proposed project. As demonstrated by the enclosed coverage maps provided by AT&T’s Radiofrequency Engineer, this tower site will effectively replace the coverage that will be lost when the existing tower is taken down, with a small additional gain in in-building capabilities to the northwest of this property, and a small loss of the same to the far east of the coverage area as shown on the coverage map. Additionally, due to the landowner wanting flexibility with development in the interior of this subject property, we are proposing this tower site to be near the northwest corner near Blue Circle Drive, just outside the 35’ front yard setback. Given this proposed location we have proposed both a privacy fence and taller landscape screening to screen the based of the tower from view as much as possible. This project was carefully designed and located to meet all these needs.

- b. *Zoning Districts. Facilities may be located within any zoning district. However, on properties guided low-density residential, telecommunication towers may only be located on public or institutional property.*

This project is located in the I-1 district, which is perhaps one of the most appropriate zoning districts for a tower site in the City of Minnetonka.

- c. *Setbacks. Towers located adjacent to low or medium-density residential properties must meet the minimum setback requirements established for principal structures within the associated residential zoning district, but only from the property line abutting the residential district. The city council may waive the setback requirement if necessary to implement stealth design techniques. Accessory equipment must meet minimum setback requirements established for accessory structures within the zoning district.*

This project is located on a property near property lines adjacent to other properties also zoned I-1, and we meet the setbacks for all structures as indicated earlier in this narrative.

- 2) *Design*

- a. *Stealth Design. Facilities must use as many stealth design techniques as reasonably possible. Economic considerations alone are not justification for failing to provide stealth design techniques.*

We have designed this structure to be a stealth monopole to allow all antennas and related tower-mounted equipment to be enclosed behind a shroud or screen, such that the overall tower will have a clean, monolithic aesthetic.



- b. *Collocation. New telecommunication towers must be designed to accommodate more than one telecommunication provider at more than one height within the tower, unless it is physically impossible or impractical to do so at the tower's proposed location. In addition, the applicant, tower owner, landlord, and their successors must agree in writing to: (1) meet reasonable terms and conditions for shared use; (2) submit a dispute over the potential terms and conditions to binding arbitration.*

This tower will be designed to accommodate multiple users, and there will immediately be available space for at least one additional carrier on the tower and on the ground space at the proposed telecommunication facility. The applicant hereby agrees to the requirements of this section.

- c. *Height. Maximum tower height, excluding lightning rods, is restricted based on the land use designation of property on which the tower is located:*

<i>Land Use Designation</i>	<i>Single-User Tower</i>	<i>Multiple-User Tower</i>
<i>Low and Medium Density Residential</i>	<i>60 feet</i>	<i>90 feet</i>
<i>High Density Residential</i>	<i>75 feet</i>	<i>90 feet</i>
<i>Office, Commercial</i>	<i>75 feet</i>	<i>90 feet</i>
<i>Industrial</i>	<i>150 feet</i>	<i>150 feet</i>
<i>Institutional</i>	<i>60 feet</i>	<i>90 feet</i>

This tower will be 150 feet in height so that the coverage will continue to be effective at the interchange of highways 169 and 62 which is about 1,730 feet east of the proposed tower site, just east of the previously-existing tower that was taken offline in 2021. The proposed height has the additional benefit of improving in-building capabilities of the AT&T network in the area, as shown on the enclosed coverage map.

- d. *The city council may increase height if the applicant can demonstrate that the increase would not have a significant impact on surrounding properties because of things like proximity, topography, or screening by trees or buildings. The council may likewise waive height restrictions for towers wholly or partially for essential public services, such as public safety.*

We are not seeking to increase the height above the 150 foot height limitation for industrial districts outlined above.

- e. *Projections. Antennas may not project out from an antenna support structure or tower, unless it is physically impossible to locate the antenna with the structure or tower, in which case they may not project out more than three feet. Facilities located on transmission towers, water towers or buildings may not extend more than 15 feet above the structure to which they are attached. Wall or façade-mounted antennas may not extend above the building cornice line.*

All antennas will be enclosed within an RF-neutral shroud on the tower.

- f. *Color. Tower, antennas and support structures must be painted a non-contrasting color consistent with the surrounding area such as: gray, brown, or silver, or have a galvanized finish to reduced visual impact. Metal towers must be constructed of, or treated with, corrosion-resistant material.*

This tower is designed with a galvanized finish which is the best color and finish to allow the structure to blend with and reflect the sky and its ever-changing conditions.

Conditional Use Permit Review Standards:

Section 300.21 “Conditional Use Permit Standards for Business and Industrial Districts” subdivision 2. “General Standards” in the City of Minnetonka Code of Ordinances lays out the review criteria for any Conditional Use Permit to be granted by the City Council, and our proposed use satisfies each of these standards or criteria which are cited below (cited ordinance language is in *blue italics*, our responses are in normal font):



2. *General Standards.*

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

*a) the use is consistent with the intent of this ordinance;*

Our proposed telecommunication facility use is consistent with the intent of this ordinance as demonstrated by the use and performance standards we meet as outlined above in this narrative.

*b) the use is consistent with the goals, policies and objectives of the comprehensive plan;*

Our project is consistent with the goals, policies and objective of the comprehensive plan by enabling robust communication infrastructure to serve the community in this part of the City of Minnetonka. Wireless communications are essential to supporting emergency services, businesses, and residents by providing reliable connectivity.

*c) the use does not have an undue adverse impact on governmental facilities, utilities, services or existing or proposed improvements;*

There will be no adverse impact on governmental facilities, utilities, services, or existing or proposed improvements. The proposed project will connect to existing power and telecommunications services in the neighborhood. This will be an unmanned facility.

*d) the use is consistent with the city's water resources management plan;*

This proposed telecommunication facility will not use any water resources and will have a minimal footprint, and as such will be consistent with the City's water resources management plan. We will provide erosion control and drainage details as applicable and required during the building permit application review process.

*e) the use is in compliance with the performance standards specified in section 300.28 of this ordinance; and*

This proposed telecommunication facility complies with all performance standards specified in section 300.28 of this ordinance.

*f) the use does not have an undue adverse impact on the public health, safety or welfare.*

This proposed telecommunication facility will not have an undue adverse impact on the public health, safety or welfare. Rather, this facility will be providing continuation and improvement of essential wireless communication network coverage and capacity in the area. Reliable wireless communication network connectivity has become an integral necessity for everyday life for the vast majority of individuals, business, and governmental institutions, and as such this project supports the public health, safety, and welfare for all stakeholders in this part of the City of Minnetonka and immediately adjacent portions of the Cities of Edina and Eden Prairie.

Thank you for your consideration of this proposed telecommunication facility conditional use permit application.

Sincerely,

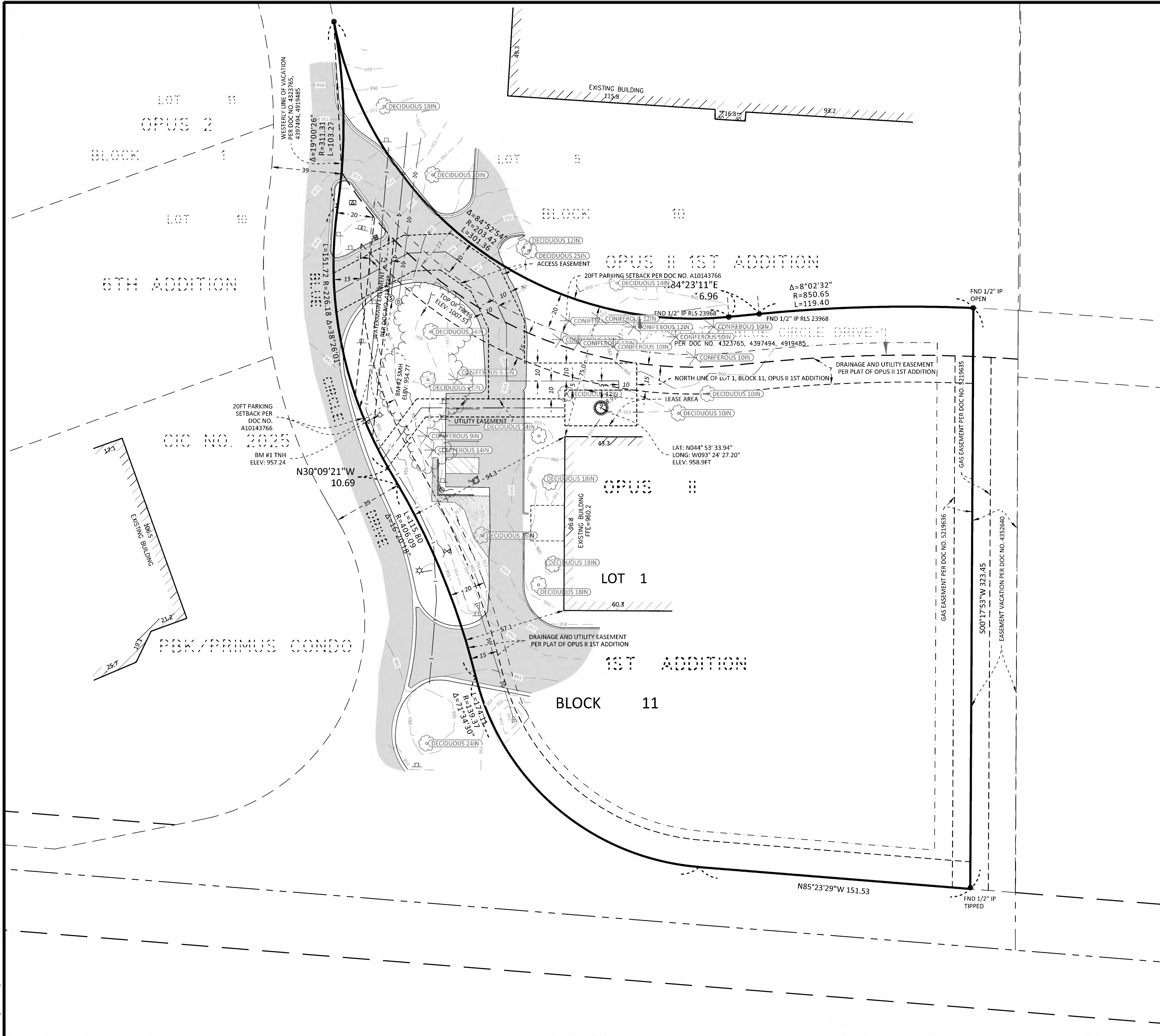


Scott Buell  
Site Development Agent on behalf of CTI Towers

Phone: 651-225-0793

Email: [sbuell@buellconsulting.com](mailto:sbuell@buellconsulting.com)





**LEGEND**

- FOUND MONUMENT
- SET MONUMENT MARKED 43933
- ⊙ FOUND CAST IRON MONUMENT
- ⊞ AIR CONDITIONER
- ⊞ SIGN
- ⊙ POST
- ⊞ HANDICAP STALL
- ⊞ GUY ANCHOR
- ⊞ ELECTRIC METER
- ⊞ UTILITY POLE
- ⊞ LIGHT
- ⊞ TRAFFIC MARKERS
- ⊞ ELECTRIC MANHOLE
- ⊞ TRANSFORMER
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- ⊞ COMMUNICATIONS MANHOLE
- ⊞ CABLE TV BOX
- ⊞ TELEPHONE PEDESTAL
- ⊞ SANITARY MANHOLE
- ⊞ CLEAN OUT
- ⊞ STORM MANHOLE
- ⊞ STORM CATCH BASIN
- ⊞ FLARED END SECTION
- ⊞ WATER MANHOLE
- ⊞ GATE VALVE / HYDRANT
- ⊞ WATERMAIN
- ⊞ SANITARY SEWER
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- ⊞ ELECTRIC TRANSFORMER
- ⊞ TELEPHONE PEDESTAL
- ⊞ GAS METER
- ⊞ OVERHEAD WIRE
- ⊞ CHAIN LINK FENCE
- ⊞ IRON FENCE
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- ⊞ FLAG POLE
- ⊞ MAILBOX
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- ⊞ CONTROL BOX
- ⊞ RAILROAD CROSSING
- ⊞ EASEMENT LINE
- ⊞ SETBACK LINE
- ⊞ RESTRICTED ACCESS
- ⊞ CONCRETE CURB
- ⊞ BUILDING CANOPY
- ⊞ BUILDING CANOPY
- ⊞ BITUMINOUS SURFACE
- ⊞ CONCRETE SURFACE
- ⊞ LANDSCAPE SURFACE
- ⊞ DECIDUOUS TREE
- ⊞ CONIFEROUS TREE
- ⊞ CONTOUR
- ⊞ BOUNDARY LINE
- ⊞ BUILDING CANOPY
- ⊞ CONCRETE CURB
- ⊞ DEED DISTANCE
- ⊞ IRON FENCE
- ⊞ SECTION LINE
- ⊞ REGULAR PARKING STALL COUNT
- ⊞ SPOT ELEVATIONS

**DESCRIPTION**

All that parcel of land in the County of Hennepin and State of Minnesota as more fully described in deed document number A10148022 and parcel # 36-117-22-43-0018, being known and designated as:

Lot 1, Block 11, OPUS II 1ST ADDITION, EXCEPT that part of said Lot 1 lying easterly of a line drawn parallel with and 25 feet westerly of the east line of said Lot 1 (measured at right angles to said east line), according to the recorded plat of said OPUS II 1ST ADDITION, Hennepin County, Minnesota.

**PROPERTY SUMMARY**

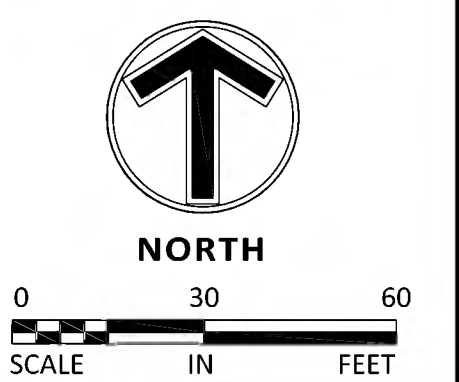
1. Subject property's address is 6120 Blue Circle Drive, its property identification number is 36-117-22-43-0018.
2. The gross area of the subject property is 2.250 Acres or 97,999 Square Feet.
3. The subject property is zoned I-1 Industrial District, per Minnetonka Zoning Application on the City of Minnetonka website.
4. The building(s) and exterior dimensions of the outside wall at ground level are shown on the survey. It may not be the foundation wall.

**SURVEY NOTES**

1. The bearing system is based on the Hennepin County coordinate system, NAD83 (1986 Adjust). With an assumed bearing of North 84 degrees 23 minutes 11 seconds East for the north line of the vacated right of way of Blue Circle Drive.
2. Field work was completed on 11/10/2022.
3. The lands surveyed, shown, and described hereon are the same lands as described in the Title Report provided by AMC Settlement Services, Commitment No. 50026299, dated August 21st, 2022. The vacated portion of Blue Circle Drive as shown in OPUS II 1ST ADDITION is shown on the survey although it is not included in the title commitment description or most recent deed.

**BENCHMARKS**

1. The vertical datum is based on NAVD88. The originating bench mark is MNDOT HEART referenced from the MNDOT Geodetic Database
- BENCHMARK #1  
Top Nut Hydrant ELEV.= 957.24
- BENCHMARK #2  
Sanitary Manhole ELEV.= 954.77



24.15 (LWS TECH) | DILLON TEWS, LSIT (MN) | 6/7/2023 8:53:51 AM | L:\PROJECTS\51528\CAD\SURVEY\SHEETS\51528-EXCOND.DWG-1

NO	DATE	BY	CKD	APPR	COMMENT
A	03/02/2023	DJT	MRS	MRS	PROPOSED LEASE AREA AND ACCESS EASEMENT
B	06/07/2023	DJT	MRS	MRS	MOVED LEASE AREA AND EASEMENTS

I hereby certify that this plan, survey, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Print Name: Mark R. Salo

*Mark R. Salo*

Date: 06/07/2023 License #: 43933

DATE ISSUED  
11/10/2022

DRAWN BY  
DJT

DESIGNED BY

CHECKED BY  
MRS

PROJECT NO.  
51528



EXISTING CONDITIONS

DESIGN 1

CTI TOWERS OPUS RELOCATION

6120 BLUE CIRCLE DRIVE

MINNETONKA, HENNEPIN COUNTY, MINNESOTA

SHEET

1

OF 2

REV. B



**DESCRIPTION**

**ACCESS EASEMENT:**

An access easement over, under, and across part of Lot 1, Block 11, OPUS II 1ST ADDITION, EXCEPT that part of said Lot 1 lying easterly of a line drawn parallel with and 25 feet westerly of the east line of said Lot 1 (measured at right angles to said east line), according to the recorded plat of said OPUS II 1ST ADDITION, Hennepin County, Minnesota

And also including all of vacated Blue Circle Drive lying North of Lot 1, Block 11, OPUS II 1ST ADDITION and south of Lot 5, Block 10 Opus II 1ST ADDITION lying west of the west line of Lot 1, Block 1, DATA 100 2ND ADDITION, and east of the following described line:

Beginning at the most northerly corner of Lot 1, Block 11, OPUS II 1st ADDITION; thence northerly to the point of reverse curve on the westerly line of Lot 5 Block 10, OPUS II 1ST ADDITION and there terminating; being all that part of Blue Circle Drive as dedicated within the plat of OPUS II 1ST ADDITION, according to the recorded plat thereof, Hennepin County, Minnesota, vacated by the Minnetonka City Council on July 10, 1978 by Resolution No. 78-5624.

Said access easement lying 10.00 feet to the right and 5.00 feet to the left of the centerline described as follows:

Commencing at the southwest corner of the east 25.00 feet of said Lot 1; thence North 00 degrees 17 minutes 53 seconds East assumed bearing along the west line of the east 25.00 feet of said Lot 1 a distance of 277.79 feet; thence South 90 degrees 00 minutes 00 seconds West, 187.04 feet; thence South 90 degrees 00 minutes 00 seconds West, 10.00 feet to the point of beginning of the centerline to be described; thence North 00 degrees 00 minutes 00 seconds East, 5.00 feet; thence North 90 degrees 00 minutes 00 seconds West, 30.00 feet to Point A and there terminating.

And lying 10.00 feet on either side of the centerline described as follows:

Beginning at said Point A; thence North 90 degrees 00 minutes 00 seconds West, 32.51 feet; thence North 00 degrees 00 minutes 00 seconds East, 31.27 feet; thence North 25 degrees 04 minutes 00 seconds West, 27.78 feet; thence North 54 degrees 51 minutes 02 seconds West, 26.97 feet; thence South 87 degrees 47 minutes 20 seconds West, 20.89 feet; thence South 61 degrees 38 minutes 26 seconds West, 46.61 feet to the westerly line of said Lot 1 and there terminating.

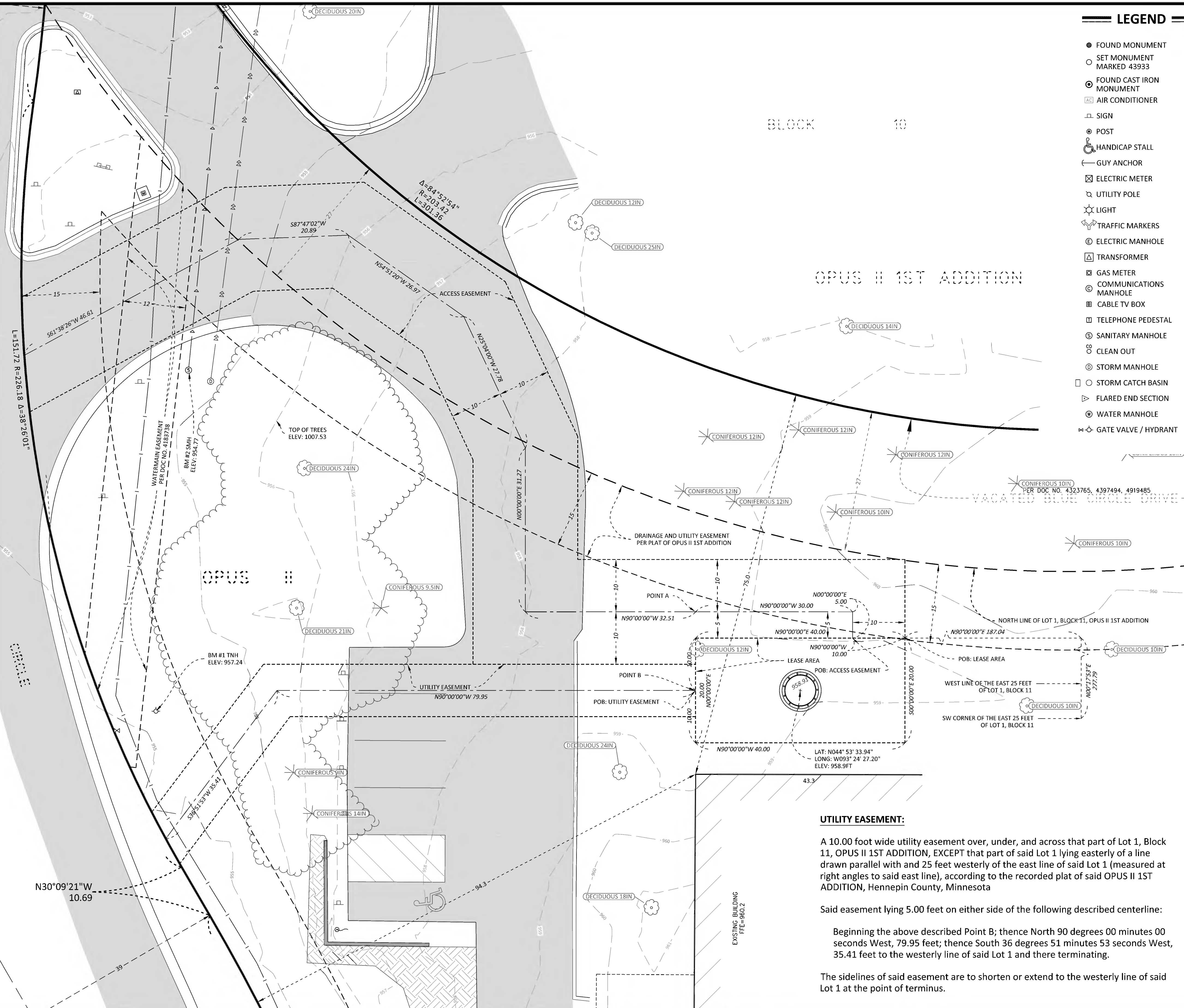
The sidelines of said easement are to shorten or extend to the westerly line of said Lot 1 at the point of terminus.

**LEASE AREA:**

That part of Lot 1, Block 11, OPUS II 1ST ADDITION, EXCEPT that part of said Lot 1 lying easterly of a line drawn parallel with and 25 feet westerly of the east line of said Lot 1 (measured at right angles to said east line), according to the recorded plat of said OPUS II 1ST ADDITION, Hennepin County, Minnesota

Said lease area described as follows:

Commencing at the southwest corner of the east 25.00 feet of said Lot 1; thence North 00 degrees 17 minutes 53 seconds East assumed bearing along the west line of the east 25.00 feet of said Lot 1 a distance of 277.79 feet; thence South 90 degrees 00 minutes 00 seconds West, 187.04 feet to the point of beginning of the area to be described; thence South 00 degrees 00 minutes 00 seconds East, 20.00 feet; thence North 90 degrees 00 minutes 00 seconds West, 40.00 feet; thence North 00 degrees 00 minutes 00 seconds East, 10.00 feet to a point hereinafter referred to as Point B; thence continuing North 00 degrees 00 minutes 00 seconds East, 10.00 feet; thence North 90 degrees 00 minutes 00 seconds East, 40.00 feet to the point of beginning and there terminating.



**LEGEND**

- FOUND MONUMENT
- SET MONUMENT MARKED 43933
- ⊙ FOUND CAST IRON MONUMENT
- ⊞ AIR CONDITIONER
- ⊞ SIGN
- ⊙ POST
- ♿ HANDICAP STALL
- ⊞ GUY ANCHOR
- ⊞ ELECTRIC METER
- ⊞ UTILITY POLE
- ⊞ LIGHT
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- ⊞ IRON FENCE
- ⊞ SECTION LINE
- ⊞ REGULAR PARKING STALL COUNT
- ⊞ SPOT ELEVATIONS

**UTILITY EASEMENT:**

A 10.00 foot wide utility easement over, under, and across that part of Lot 1, Block 11, OPUS II 1ST ADDITION, EXCEPT that part of said Lot 1 lying easterly of a line drawn parallel with and 25 feet westerly of the east line of said Lot 1 (measured at right angles to said east line), according to the recorded plat of said OPUS II 1ST ADDITION, Hennepin County, Minnesota

Said easement lying 5.00 feet on either side of the following described centerline:  
Beginning the above described Point B; thence North 90 degrees 00 minutes 00 seconds West, 79.95 feet; thence South 36 degrees 51 minutes 53 seconds West, 35.41 feet to the westerly line of said Lot 1 and there terminating.

The sidelines of said easement are to shorten or extend to the westerly line of said Lot 1 at the point of terminus.

24.15 (LWS TECH) | DILLON TEWS, LSIT (MN) | 6/7/2023 9:35:36 AM  
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NO	DATE	BY	CKD	APPR	COMMENT
A	03/02/2023	DJT	MRS	MRS	PROPOSED LEASE AREA AND ACCESS EASEMENT
B	06/07/2023	DJT	MRS	MRS	MOVED LEASE AREA AND EASEMENTS

I hereby certify that this plan, survey, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.  
Print Name: Mark R. Salo  
Date: 06/07/2023 License #: 43933

DATE ISSUED: 11/10/2022

DRAWN BY: DJT  
DESIGNED BY:  
CHECKED BY: MRS  
PROJECT NO.: 51528



LEASE AREA AND ACCESS EASEMENT EXHIBIT  
03/02/2023  
CTI TOWERS OPUS RELOCATION  
6120 BLUE CIRCLE DRIVE  
MINNETONKA, HENNEPIN COUNTY, MINNESOTA

SHEET 2 OF 2 REV. B



SITE PHOTO

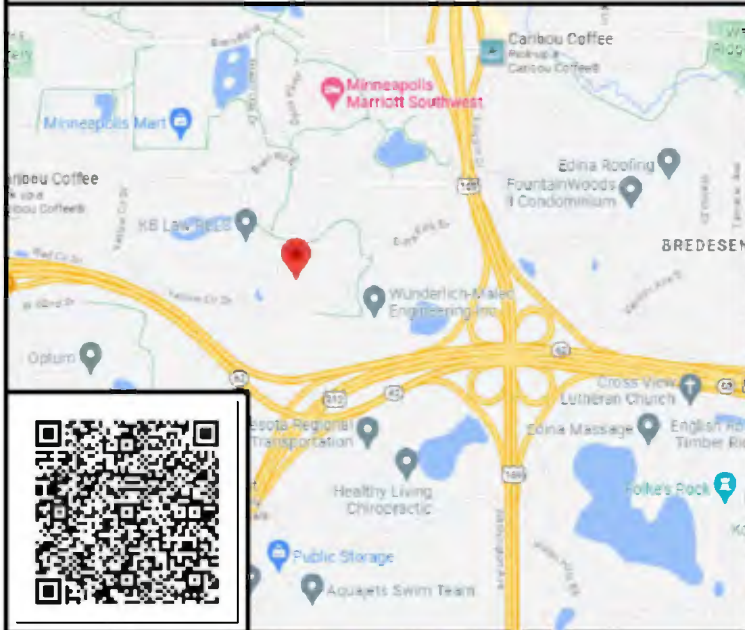


# CTI TOWERS

## OPUS RELOCATION MINNETONKA, MINNESOTA ZONING DRAWINGS 150' STEALTH TOWER

NOT FOR  
CONSTRUCTION

SITE LOCATION MAP



SHEET INDEX

SHEET	SHEET DESCRIPTION
TITLE	PROJECT INFORMATION, MAPS, DIRECTIONS, & SHEET INDEX
SHEET 1	SITE PLAN
SHEET 2	ENLARGED SITE PLAN
SHEET 2.1	LANDSCAPE PLAN
SHEET 3	SITE ELEVATION

DIRECTORY

**CLIENT:**  
CTI TOWERS  
5000 CENTERGREEN WAY, SUITE 325  
CARY, NC 27513

**DESIGNER:**  
DESIGN 1 LLC  
9973 VALLEY VIEW ROAD  
EDEN PRAIRIE, MN 55344  
PHONE: (952) 903-9299

**SURVEYOR:**  
SAMBATEK INC.  
12800 WHITEWATER DR. #300  
MINNETONKA, MN 55343  
PHONE: (763) 476-6010

PROJECT INFO

**SITE LOCATION:**  
APPROX:  
6120 BLUE CIRCLE DR  
MINNETONKA, MN 55343

**PROPERTY OWNER:**  
ZUHRAH TEMPLE TRUSTEES INC.  
6120 BLUE CIRCLE DR  
MINNETONKA, MN 55343

**SITE COORDINATES (PER 1A CERTIFICATION):**  
N 44° 53' 33.94" (NAD83)  
W 93° 24' 27.20" (NAD83)


**PLSS INFORMATION:**  
T.B.D

**TAX KEY NUMBER:**  
3611722430018

UTILITY INFORMATION

**POWER PROVIDER:**  
XCEL ENERGY  
5309 W. 70TH ST.  
EDINA, MN 55439  
PHONE: (612) 303-5500

**FIBER PROVIDER:**  
T.B.D

**ONE CALL**  
  
SYSTEMS INTERNATIONAL

TO OBTAIN LOCATION OF PARTICIPANTS' UNDERGROUND FACILITIES BEFORE YOU DIG IN MINNESOTA, CALL GOPHER STATE ONE CALL

TOLL FREE: 1-800-252-1166  
FAX A LOCATE: 1-800-236-4967

MN STATUTE REQUIRES MIN. OF 48 HOURS NOTICE BEFORE YOU EXCAVATE

CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS/CONDITIONS ON SITE. IMMEDIATELY NOTIFY DESIGNER OF ANY DISCREPANCIES PRIOR TO PERFORMING ANY WORK OR BE RESPONSIBLE FOR THE SAME.

PRELIMINARY  
NOT FOR CONSTRUCTION



9973 VALLEY VIEW RD.  
EDEN PRAIRIE, MN 55344  
(952) 903-9299  
WWW.DESIGN1EP.COM

### CTI TOWERS

5000 CENTREGREEN WAY  
SUITE 325  
CARY, NC 27513

### PROJECT

--  
LOC. CODE: --

### OPUS RELOCATION

6120 BLUE CIRCLE DR  
MINNETONKA, MN 55343

### SHEET CONTENTS:

CONTACTS  
SHEET INDEX  
PROJECT INFORMATION  
AREA & VICINITY MAPS

DRAWN BY: NPR  
CHECKED BY: TAB  
V1 06-07-23

# TITLE





**NOTE:**  
 THE NEW POWER ROUTE IS PRELIMINARY, AND WILL BE CONFIRMED WITH THE ELECTRIC UTILITY TO CONSTRUCTION. IF THE GENERAL CONTRACTOR NOTICES ANY DISCREPANCIES BETWEEN THESE PLANS AND THE ACTUAL SOURCE OF POWER, THE CONSTRUCTION ENGINEER AND PROJECT DESIGNER ARE TO BE NOTIFIED PRIOR TO COMMENCING WORK.

NOT FOR  
 CONSTRUCTION

**DESIGN**  
 9973 VALLEY VIEW RD.  
 EDEN PRAIRIE, MN 55344  
 (952) 903-9299  
 WWW.DESIGN1EP.COM

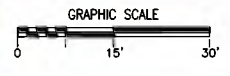
**CTI TOWERS**  
 5000 CENTREGREEN WAY  
 SUITE 325  
 CARY, NC 27513

PROJECT  
 --  
 LOC. CODE: --

**OPUS  
 RELOCATION**  
 6120 BLUE CIRCLE DR  
 MINNETONKA, MN 55343

SHEET CONTENTS:  
 SITE PLAN

DRAWN BY: NPR  
 CHECKED BY: TAB  
 V1 06-07-23



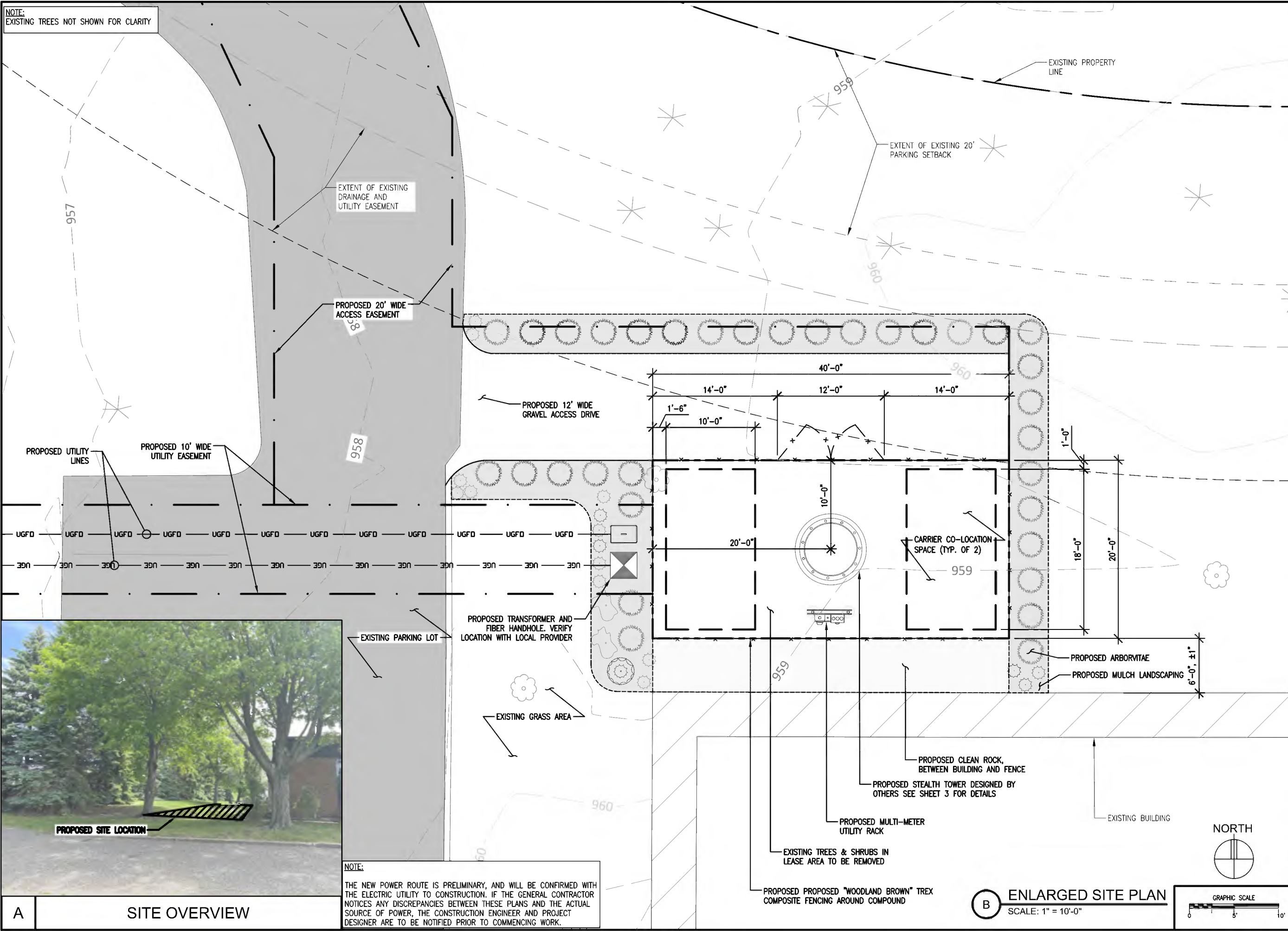
**B SITE PLAN**  
 SCALE: 1" = 30'-0"

**A AERIAL OVERVIEW OF SITE**

**SHEET 1**



NOTE:  
EXISTING TREES NOT SHOWN FOR CLARITY



**A** SITE OVERVIEW

NOTE:  
THE NEW POWER ROUTE IS PRELIMINARY, AND WILL BE CONFIRMED WITH THE ELECTRIC UTILITY TO CONSTRUCTION. IF THE GENERAL CONTRACTOR NOTICES ANY DISCREPANCIES BETWEEN THESE PLANS AND THE ACTUAL SOURCE OF POWER, THE CONSTRUCTION ENGINEER AND PROJECT DESIGNER ARE TO BE NOTIFIED PRIOR TO COMMENCING WORK.

NOT FOR CONSTRUCTION

**DESIGN**  
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WWW.DESIGN1EP.COM

**CTI TOWERS**  
5000 CENTREGREEN WAY  
SUITE 325  
CARY, NC 27513

PROJECT  
--  
LOC. CODE: --

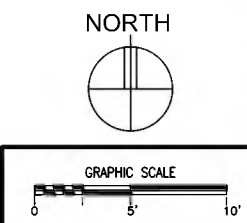
**OPUS RELOCATION**

6120 BLUE CIRCLE DR  
MINNETONKA, MN 55343

SHEET CONTENTS:  
ENLARGED SITE PLAN

DRAWN BY: NPR  
CHECKED BY: TAB  
V1 06-07-23

**B** ENLARGED SITE PLAN  
SCALE: 1" = 10'-0"

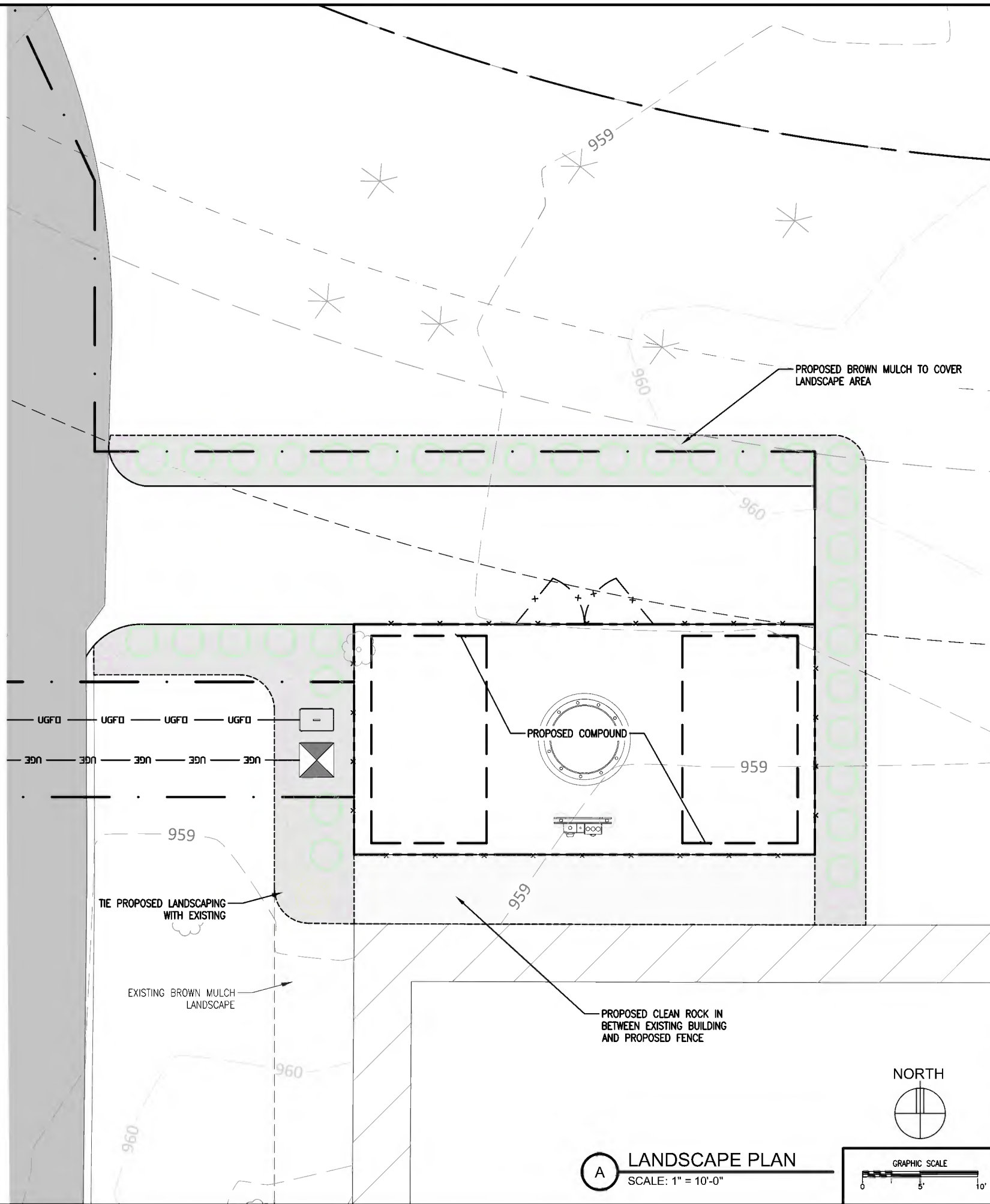


**SHEET 2**



PROPOSED LANDSCAPE KEY					
SYMBOL	QTY.	COMMON NAME	BOTANICAL NAME	PLANTING SIZE & SPACING	MATURE SIZE
	33	EMERALD GREEN ARBORVITAE	THUJIA OCCIDENTALIS "EMERALD GREEN"	SIZE: 1-2' MIN. SPACING: 4' MIN.	H: 10'-15' W: 3'-4'
	1	GOLD MOP CYPRESS	CHAMAECY-PARIS PISIFERA "GOLDEN MOP"	SIZE: 1 GALLON MIN. SPACING: 4' MIN.	H: 3'-4' W: 3'-4'
	2	STELLA D'ORO DAYLILY PLAN	HEMEROCALLIS "STELLA DE ORO"	SIZE: 1 GALLON MIN. SPACING: 2' MIN.	H: 2' W: 2'
	14	MAY NIGHT SALVIA	SALVIA X SYLVESTRIS "MAY NIGHT"	SIZE: 1 GALLON MIN. SPACING: 1' MIN.	H: 18"-24" W: 18"-24"

NOTE:  
 1) SCOPE OF WORK INCLUDES PROPOSED SHRUBS & TREES TO BE PLANTED PER UNIVERSITY OF MINNESOTA EXTENSION AS FOLLOWS:  
 • CONTAINER GROWN STOCK  
 (<https://extension.umn.edu/how/planting-and-transplanting-trees-and-shrubs#container-grown-and-containerized-stock-1400311>)  
 • BALLED & BURLAPPED STOCK  
 (<https://extension.umn.edu/how/planting-and-transplanting-trees-and-shrubs#balled-and-burlapped-%28b-%26-b%29-1400312>)  
 2) SCOPE OF WORK INCLUDES STAKING & TYING-BACK PROPOSED PLANTINGS; MULCHING OVER PLANTED ROOT BASE; WATERING TO MAINTAIN PLANT SURVIVAL FOR 1 YEAR; AND PROTECTION OF EXISTING LANDSCAPE ELEMENTS.  
 3) EXISTING TREES TO BE REMOVED PER SHEET 1



NOT FOR CONSTRUCTION

**DESIGN 1**  
 9973 VALLEY VIEW RD.  
 EDEN PRAIRIE, MN 55344  
 (952) 903-9299  
 WWW.DESIGN1EP.COM

**CTI TOWERS**  
 5000 CENTREGREEN WAY  
 SUITE 325  
 CARY, NC 27513

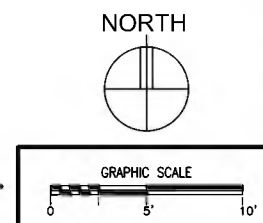
PROJECT  
 --  
 LOC. CODE: --

**OPUS RELOCATION**  
 6120 BLUE CIRCLE DR  
 MINNETONKA, MN 55343

SHEET CONTENTS:  
 LANDSCAPE PLAN

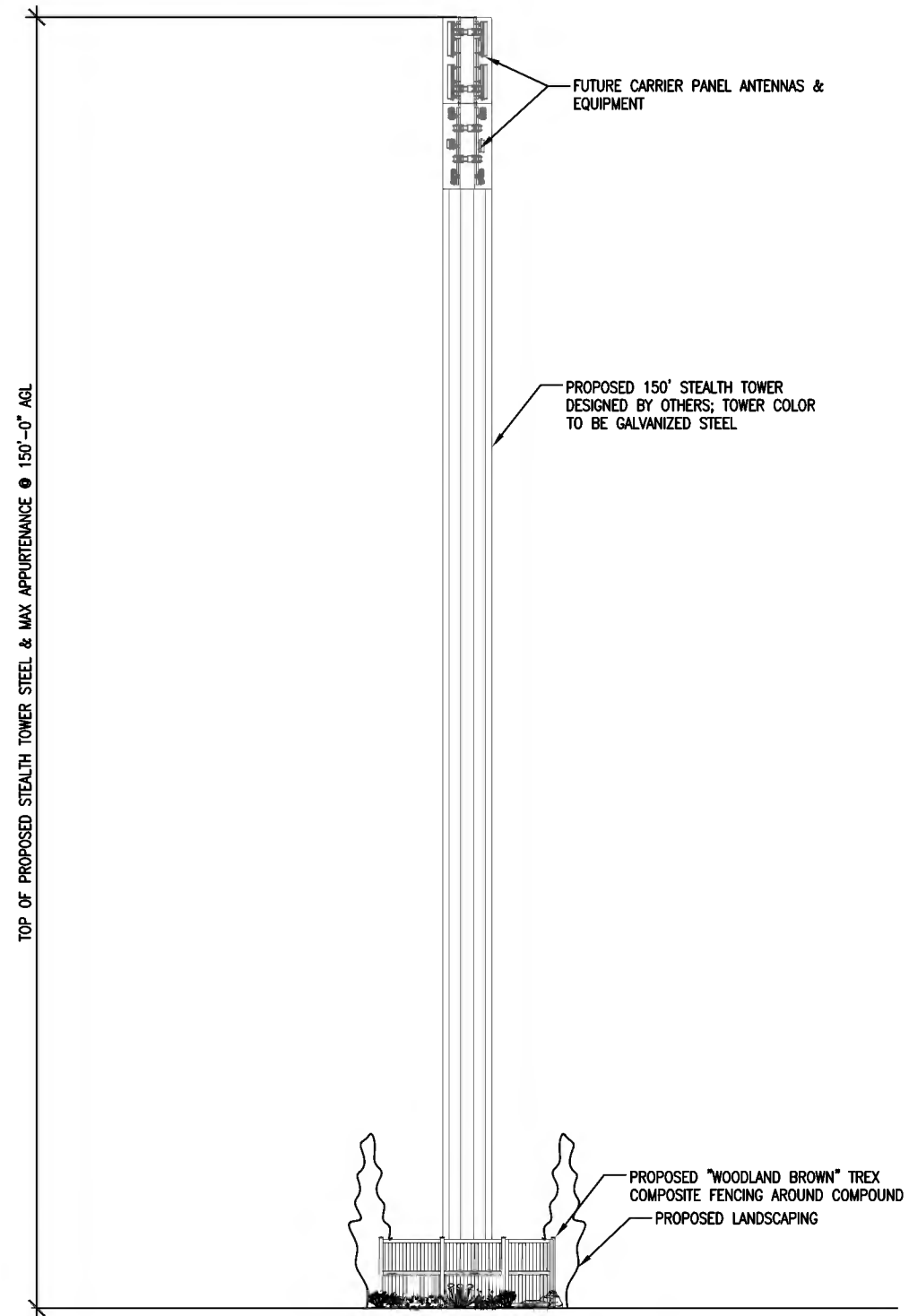
DRAWN BY: NPR  
 CHECKED BY: TAB  
 V1 06-07-23

**A LANDSCAPE PLAN**  
 SCALE: 1" = 10'-0"

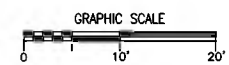


**SHEET 2.1**





**A** SITE ELEVATION  
SCALE: 1" = 20'-0"



NOT FOR CONSTRUCTION

**DESIGN 1**

9973 VALLEY VIEW RD.  
EDEN PRAIRIE, MN 55344  
(952) 903-9299  
WWW.DESIGN1EP.COM

**CTI TOWERS**

5000 CENTREGREEN WAY  
SUITE 325  
CARY, NC 27513

PROJECT  
--

LOC. CODE: --

**OPUS RELOCATION**

6120 BLUE CIRCLE DR  
MINNETONKA, MN 55343

SHEET CONTENTS:  
SITE ELEVATION

DRAWN BY: NPR  
CHECKED BY: TAB  
V1 06-07-23





1 EXISTING PHOTO  
SCALE: NONE

NOT FOR  
CONSTRUCTION

**DESIGN**  
1  
9973 VALLEY VIEW RD.  
EDEN PRAIRIE, MN 55344  
(952) 903-9299  
WWW.DESIGN1EP.COM

**CTI TOWERS**  
5000 CENTREGREEN WAY  
SUITE 325  
CARY, NC 27513

PROJECT  
LOC. CODE:

**OPUS  
RELOCATION**  
6120 BLUE CIRCLE DR  
MINNETONKA, MN 55343

SHEET CONTENTS:  
PHOTO SIMULATIONS

DRAWN BY:	MJS
CHECKED BY:	NPR/TAB
v.1	01-04-23
v.2	06-08-23

PS-1A





1 PROPOSED IMAGE  
SCALE: NONE

NOT FOR  
CONSTRUCTION

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v.2	06-08-23

PS-1B





1 EXISTING PHOTO  
SCALE: NONE

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v.1	01-04-23
v.2	06-08-23

PS-2A





1 PROPOSED IMAGE  
SCALE: NONE

NOT FOR  
CONSTRUCTION

**DESIGN** 1

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**SHEET CONTENTS:**  
PHOTO SIMULATIONS

DRAWN BY:	MJS
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v.1	01-04-23
v.2	06-08-23

**PS-2B**





1 EXISTING PHOTO  
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SHEET CONTENTS:  
PHOTO SIMULATIONS

DRAWN BY:	MJS
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v.1	01-04-23
v.2	06-08-23

PS-3A





1 PROPOSED IMAGE  
SCALE: NONE

NOT FOR  
CONSTRUCTION

**DESIGN** 1

9973 VALLEY VIEW RD.  
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PHOTO SIMULATIONS

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v.1	01-04-23
v.2	06-08-23

**PS-3B**



# Site Justification

Opus Relo

MNLR03055

FA 15380228

AT&T

May 19<sup>th</sup> 2021

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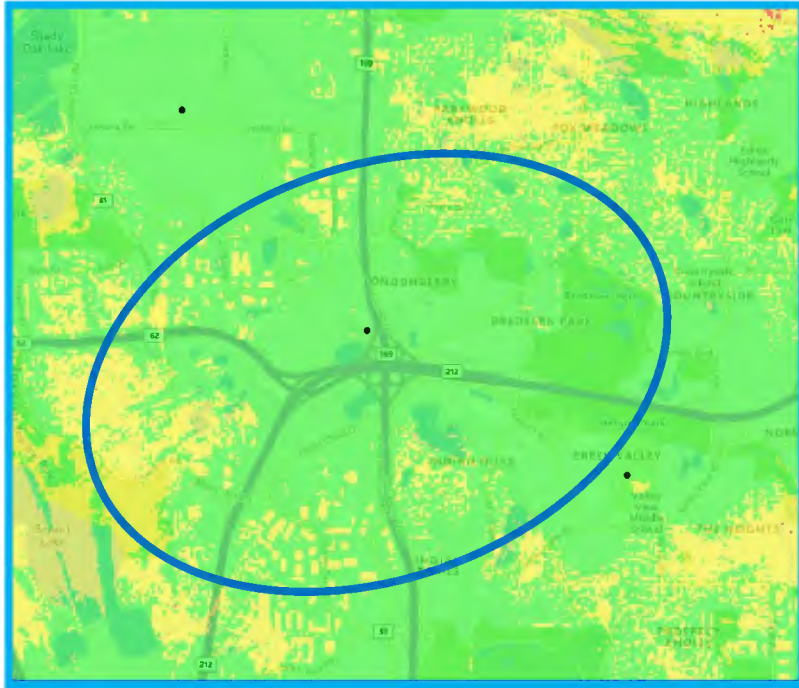
AT&T Proprietary (Internal Use Only) - Not for use or disclosure outside the AT&T companies except under written agreement





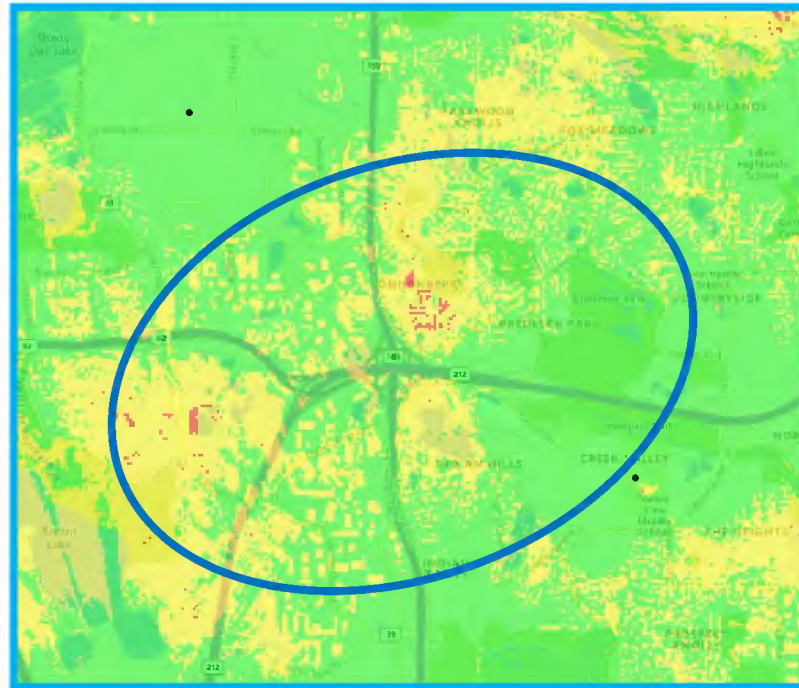
# Cellular Coverage

## Existing



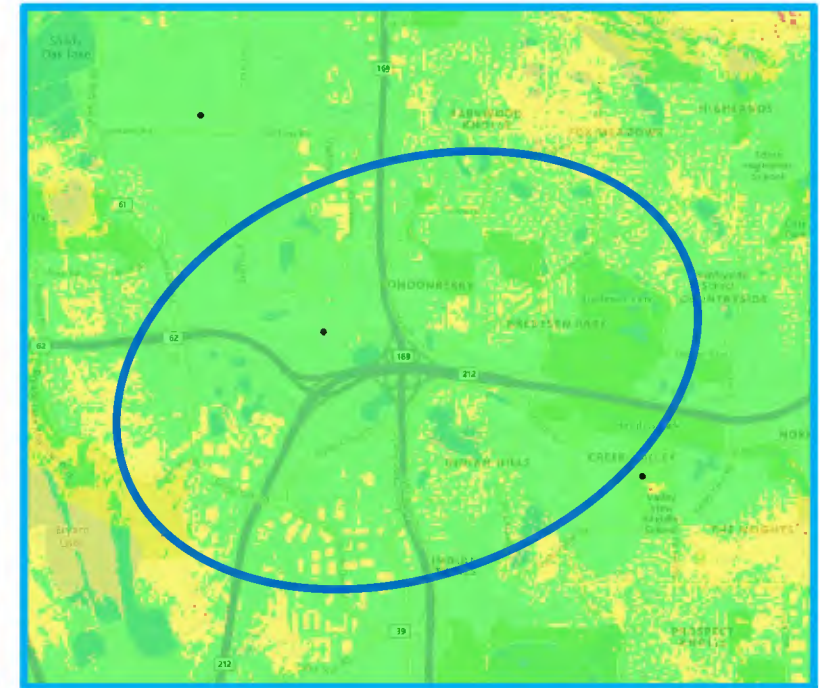
79% of the serving area has great indoor coverage, 100% has great outdoor coverage

## Without Opus



64% of the serving area has great indoor coverage, 99% has great outdoor coverage, 1% now has poor/no coverage

## With Opus Relo



82% of the serving area has great indoor coverage, 100% has great outdoor coverage

- AT&T Macro Site
- Opus serving area

RSRP Coverage (dBm):

■  $\geq -98$

(great indoor coverage)

■  $-112$  to  $-98$

(great outdoor/  
marginal indoor coverage)

■  $\geq -122$  to  $-112$

(poor/no indoor coverage)





**AT&T**



## Resolution No. 2023-0XX

### Resolution approving a conditional use permit for a telecommunication tower at 6120 Blue Circle Drive

---

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

Section 1. Background.

1.01 The subject property is located at 6120 Blue Circle Drive. It is legally described as:

Lot 1, Block 11, OPUS II 1<sup>st</sup> ADDITION, Hennepin County, Minnesota

1.02 Buell Consulting Inc., on behalf of CTI Tower Assets II and AT&T, is requesting a conditional use permit to install a 150-foot telecommunication tower on the subject property. This tower would replace an existing tower – located 0.25 miles to the east – that is being decommissioned.

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, 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 §310.03 Subd.7(a) and 7(c) outlines the following general conditional use permit standards for telecommunication towers located outside of the public right-of-way.

1. Service Provider. A telecommunications service provider must be identified for the proposed telecommunication facility and must occupy the facility within twelve months of approval.
2. Lighting. Telecommunications facilities may not be artificially illuminated unless required by law or by a governmental agency to protect the public's health and safety or, unless necessary, to facilitate service to ground-mounted equipment.



3. Construction. Facilities and equipment must be constructed in compliance with applicable building and electrical code requirements. The structural design, mounting, and installation of the telecommunication facility must comply with the manufacturer's specifications.
4. Projections. Antennas may not project out from an antenna support structure or tower unless it is physically impossible to locate the antenna with the structure or tower, in which case they may not project out more than three feet. Facilities located on transmission towers, water towers or buildings may not extend more than 15 feet above the structure to which they are attached. Wall or façade-mounted antennas may not extend above the building cornice line.
5. Accessory equipment is subject to the following:
  - a) Equipment or buildings must meet minimum setback requirements established for accessory structures in the associated zoning district.
  - b) Equipment or buildings must be designed to blend in with the surrounding natural or built environment or must be screened from view by suitable vegetation, except where a design of non-vegetative screening better reflects and complements the character of the surrounding neighborhood.
  - c) No more than one accessory building is permitted for each tower. If additional space is needed to accommodate the co-location of antennas, the existing accessory building must be expanded, or a new accessory building must be constructed adjacent and complementary to the existing building.

2.02 City Code §310.03 Subd.8(b) outlines the following specific conditional use permit standards for telecommunication towers located outside of the public right-of-way.

1. Location.
  - a) General. Facilities must be located in an area that will meet the applicant's reasonable coverage and capacity needs. However, the city may require that a different location be used if it would result in less public visibility, is available, and would continue to meet the applicant's reasonable capacity and coverage needs.
  - b) Zoning Districts. Facilities may be located within any zoning district. However, on properties guided by low-density residential, telecommunication towers may only be located on public or institutional property.



- c) **Setbacks.** Towers located adjacent to low or medium-density residential properties must meet the minimum setback requirements established for principal structures within the associated residential zoning district, but only from the property line abutting the residential district. The city council may waive the setback requirement if necessary to implement stealth design techniques. Accessory equipment must meet minimum setback requirements established for accessory structures within the zoning district.

2. **Design**

- a) **Stealth Design.** Facilities must use as many stealth design techniques as reasonably possible. Economic considerations alone are not justification for failing to provide stealth design techniques.
- b) **Collocation.** New telecommunication towers must be designed to accommodate more than one telecommunication provider at more than one height within the tower unless it is physically impossible or impractical to do so at the tower's proposed location. In addition, the applicant, tower owner, landlord, and their successors must agree in writing to (1) meet reasonable terms and conditions for shared use; (2) submit a dispute over the potential terms and conditions to binding arbitration.
- c) **Height.** Maximum tower height, excluding lightning rods, is restricted based on the land use designation of the property on which the tower is located:

<b>Land Use Designation</b>	<b>Single-User Tower</b>	<b>Multiple-User Tower</b>
Low/Medium Density Residential	60 ft	90 ft
High-Density Residents	75 ft	90 ft
Office, Commercial	75 ft	90 ft
Industrial	150 ft	150 ft
Institutional	60 ft	90 ft

The city council may increase the height if the applicant can demonstrate that the increase would not have a significant impact on surrounding properties because of things like proximity, topography, or screening by trees or buildings. The council may likewise waive height restrictions for towers wholly or partially for essential public services, such as public safety.

- d) **Projections.** Antennas may not project out from an antenna support structure or tower unless it is physically impossible to locate the antenna with the structure or tower, in which case they



may not project out more than three feet. Facilities located on transmission towers, water towers, or buildings may not extend more than 15 feet above the structure to which they are attached. Wall or façade-mounted antennas may not extend above the building cornice line.

- e) Color. Tower, antennas, and support structures must be painted a non-contrasting color consistent with the surrounding area, such as gray, brown, or silver, or have a galvanized finish to reduce visual impact. Metal towers must be constructed of, or treated with, corrosion-resistant material.

Section 3. Findings.

3.01 The proposal would meet the general standards outlined in City Code §310.03 Subd.7(a) and 7(c):

1. AT&T is identified as the initial service provider.
2. Lighting is not proposed or required.
3. As a condition of this resolution, the facility and its equipment must be constructed in compliance with applicable building and electrical code requirements. The structural design, mounting, and installation of the telecommunication facility must be in compliance with the manufacturer's specifications.
4. No projections are proposed.
5. The accessory equipment will meet the following:
  - a) The accessory equipment would be located roughly 50 feet from the north property line and roughly 120 feet from the right-of-way, meeting the 10-foot setback required from adjacent industrially-zoned properties and a 20-foot setback from the right-of-way.
  - b) The proposal will include vegetative screening. A condition has been added that the fence around the accessory equipment must be opaque.
  - c) No accessory building is proposed.

3.02 The proposal would meet the specific standards outlined in City Code §310.03 Subd.8(b):

1. Location.
  - a) The analysis provided by both the applicant and the city's consultant indicates that: (1) the proposed location would reasonably meet AT&T's coverage and capacity needs; and (2)



there are no other existing support structures available in the coverage area.

- b) The subject property is zoned I-1, Industrial.
- c) The proposed tower would be located adjacent to the north easement abutting an industrial property.

2. Design.

- a) The proposed tower would have a fully enclosed design; all components would be located within the tower.
- b) Space would be available for at least one additional provider.
- c) The proposed tower would be 150 feet in height, meeting the height standard for towers within the industrial district.
- d) The proposed tower would have a fully enclosed design; all components would be located within the tower.
- e) The proposed tower would have a galvanized finish.

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:
  - OPUS RELOCATION Plan Set, dated June 7, 2023.
- 2. This resolution must be recorded with Hennepin County.
- 3. A building permit is required. Prior to issuance of the building permit:
  - a) Provide an easement encroachment agreement in the city's approved format for the review and approval of city staff.
  - b) A portion of the sanitary and sewer utilities are located outside of the easements. If any utilities are located in the proposed project area, the applicable building, electrical and plumbing codes must be followed.
  - c) Submit 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.

- d) Install a temporary rock driveway, erosion control, tree protection fencing, and any other measures as identified by the SWPPP for staff inspection. These items must be maintained throughout the course of construction.
  - e) Submit a 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 following:
    - 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.
4. A solid, opaque fence be constructed along the north property line. This fence must be maintained in good condition at all times.
  5. The facilities and equipment must be constructed in compliance with applicable building, plumbing, and electrical code requirements. The structural design, mounting, and installation of the telecommunication facility must be in compliance with the manufacturer's specifications.
  6. Prior to construction, submit to city staff an FAA determination for the tower.
  7. The city council may reasonably add or revise conditions to address any future unforeseen problems.
  8. Any change to the approved use resulting 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 July 17, 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:

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Minnetonka, Minnesota, at a meeting held on July 17, 2023.

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



# **Minnetonka Planning Commission Meeting**

## **Agenda Item 8**

Public Hearing: Non-Consent Agenda



**MINNETONKA PLANNING COMMISSION**  
**July 6, 2023**

**Brief Description**            Front and side yard setback variances for a detached garage at 3169 Lake Shore Blvd.

**Recommendation**        Adopt the resolution approving the request.

---

**Background**

According to city records, the existing 700-square-foot house was constructed in 1953. Aerial photography suggests that the detached garage may have been constructed in the 1960s. By City Code Sec. 300.10, Subd. 7, the lot qualifies as a small lot, as it is:

- ✓ Less than 15,000 square feet;
- ✓ Lot of record as of Feb. 12, 1966;
- ✓ Located in an area in which the average size of all residential lots within 400 feet is less than 15,000 square feet.

The existing 16-foot by 20-foot garage has a front yard setback of 7.3 feet and an eastern side yard setback of 1.5 feet.

**Proposal**

The applicant is proposing to remove the existing garage in order to construct a slightly larger (22-foot by 26-foot) garage. The proposed garage requires variances to reduce the front yard setback from 20 feet to 11.5 feet and the side yard setback from seven feet to three feet.

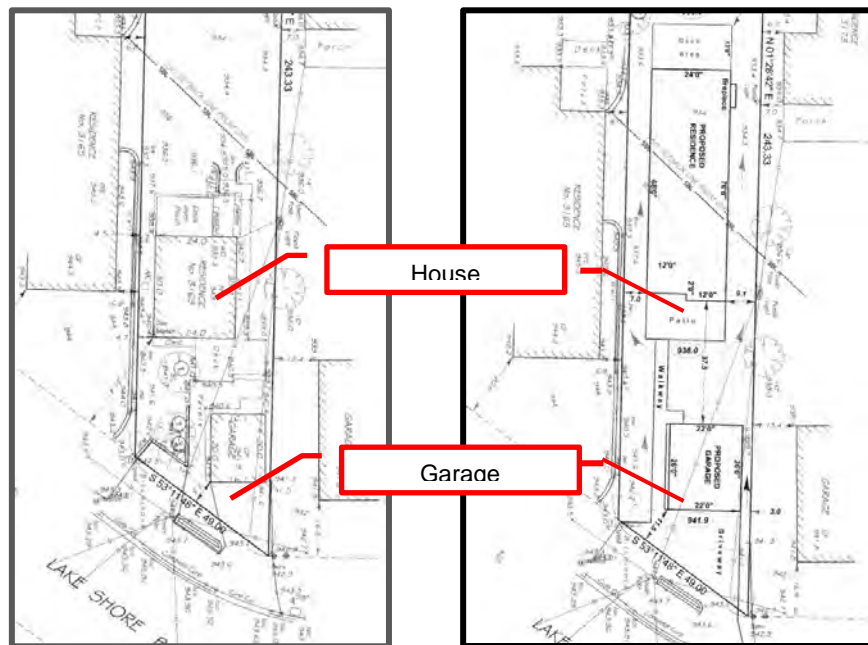


Figure 2: Existing Conditions

Figure 2: Proposed Conditions



The proposed conditions plan suggests the construction of a new home. The new home is not included in the current proposal. The applicant has been made aware that the new home, as shown, would require a variance to the city's tree protection ordinance. This applicant has indicated they intend to submit that application at a later date. As such, the current review would be for the garage.

### **Staff Analysis**

The variances are reasonable as:

- ✓ The eaves of the existing garage encroach over the property line. The proposal would be a significant improvement over existing conditions.
- ✓ The upland area of the property is just over 9,000 square feet and is currently improved with a house and a detached garage. Additionally, the lot is only 40 feet wide. The proposed garage location would allow for the existing driveway to be utilized without significantly increasing site disturbance and impervious surface.
- ✓ The proposed garage would have side and front yard setbacks larger than the existing garage.
- ✓ The garage could be located to meet the front yard setback requirements. However, the garage would still require a side yard setback but would require a reconfiguration of the driveway.

### **Staff Recommendation**

Adopt the resolution approving front and side yard setback variances for a detached garage at 3169 Lake Shore Blvd.

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



## Supporting Information

<b>Surrounding Land Uses</b>	Libb's Lake is north of the property. All other surrounding properties are improved with single household structures and zoned R-1, low-density residential.
<b>Planning</b>	Guide Plan designation: Low-density residential Zoning: R-1, low density residential
<b>Variance Standard</b>	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. (City Code §300.07)
<b>Natural Resources</b>	Best management practices must be followed during the course of site preparation and construction activities. This would include the installation and maintenance of erosion control fencing.
<b>Appeals</b>	Any person aggrieved by the planning commission's decision about the requested variances may appeal such decision to the city council. A written appeal must be submitted to the planning staff within ten days of the date of the decision.
<b>Neighborhood Comments</b>	The city sent notices to 26 area property owners and received no comments.
<b>Deadline for Decision</b>	Oct. 4, 2023





### Location Map

Project: Nelson Residence  
Address: 3169 Lake Shore Blvd





## Written Statement

The variance request is for a new detached two car garage that would encroach on the front yard and side yard setback requirements. The garage's exterior will be clad in the same material as the house and will complement it architecturally. The proposed garage replaces an existing non-conforming detached garage that has a front yard setback of 7.3' and a side yard setback of 1.5'. The new garage would have a front yard setback of 11'-6" and side yard setback of 3'. Therefore, not altering the character of the neighborhood, the proposed garage size is reasonable and is setback more than the existing garage.

The property is 40' wide and qualifies as a small lot. The existing garage and the neighbor's garage to the east are both detached and non-conforming. The two properties work together in creating a yard space between the garages and a front yard between each house and garage. The proposed garage maintains this essential site character and clearance between two garages. The proposed house meets all setbacks and hardcover requirements. The detached garage allows for the house's front door to face the street and for the house to receive more light on the narrow lot.

There is an existing power pole in the middle of the driveway which created curb cuts on each side of the property. The proposed garage uses the existing driveway and respects the slopes and power pole location. The proposed garage only adds a small additional driveway hardcover and no retaining walls.

In contrast, the neighbor's house to the west meets the setback requirements, but dramatically changes the character of the site. The sloped driveway and sidewalk to the side (front) door creates a tall retaining wall along the east property line. The attached garage creates a long driveway and more hardcover on the narrow lot.

One of the design goals of the proposed house and garage is to be a good neighbor. They are both modest in scale and try to work with the existing site conditions and topography, including keeping as much green space as possible with some privacy. These are primary goals with cost being less important. They allow for access to light and are respectful to the neighbor's properties. The proposed garage and changes to the site are minor and attempt to preserve the existing character of the neighborhood.



## **Practical Difficulties**

### **Describe why the proposed use is reasonable**

The proposed garage is a modest two car garage that replaces a small existing detached garage. The new garage would be a two car garage which is in keeping with the neighborhood. The new garage would be set back further from the side and front yard than the existing garage and utilizes the existing driveway and curb cuts. The location of the new garage allows for the house to receive more light while giving some privacy to the front yard.

### **Describe:**

- **circumstances unique to the property;**
- **why the need for variance was not caused by the property owner; and**
- **and why the need is not solely based on economic considerations.**

The property is 40' wide and qualifies as a small lot. The existing garage and the neighbors to the East are both detached and non-conforming. The two properties work together in creating a yard space between the garages and a front yard between each house and garage. There is an existing power pole in the middle of the driveway which created curb cuts on each side of the property. The proposed garage uses the existing driveway and respects the slopes and power pole location. Keeping the integrity of the yard space and some privacy from the street were primary drivers for the garage location and less so the economic considerations. Detached garages can be more expensive than an attached garage.

### **Describe why the variance would not alter the essential character of the neighborhood**

The proposed garage replaces an existing detached garage and is modest in scale. There would be no change in curb cuts and only a minimal amount of driveway added. It respects the existing yard conditions and site topography.





3169

8









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M  
P





73

NO STOPPING  
BUS STOP

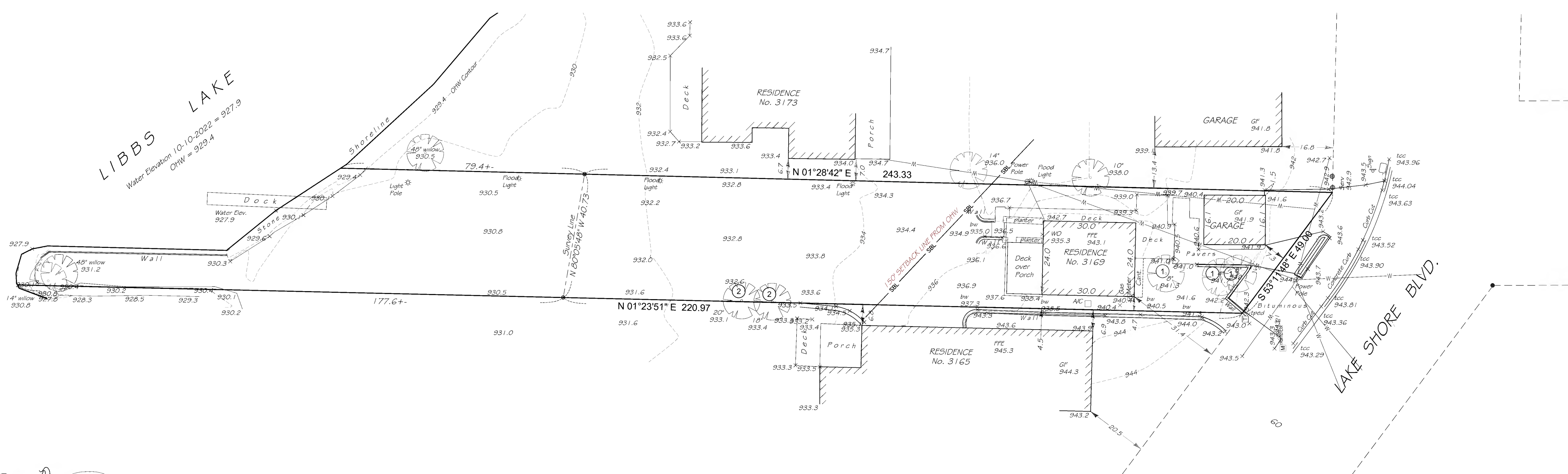
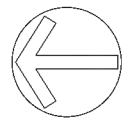




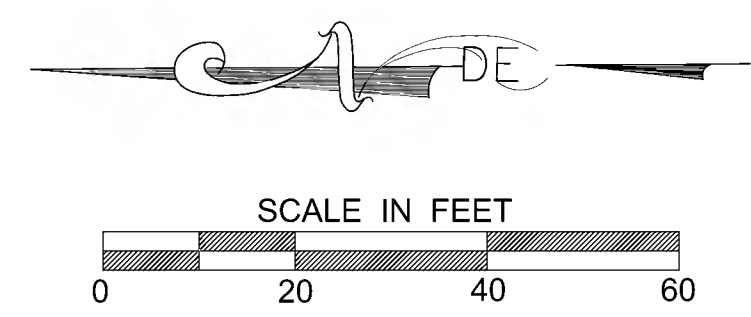








**LIBBS LAKE**  
 Water Elevation 10-10-2022 = 927.9  
 OHW = 929.4



**Legend**

- Denotes Found Iron Monument
- Denotes Iron Monument Set
- ☼ Light
- ⚡ Power Pole
- ⚓ Hydrant
- ⊕ Sanitary Manhole
- ⊖ Storm Manhole
- ⊙ Water Manhole
- ⊘ Catch Basin
- ⓧ Telephone Pedestal Riser
- ⓧ Cable Pedestal Riser
- ⓧ Electric Box or Transformer
- ⓧ A/C Air Conditioner Compressor
- W — Denotes Overhead Wires
- ① Boxelder
- ② Red Maple

**Zoning Information**

Property Currently Zoned: R-1, Single-Family Residential  
 Zoning Ordinance Requirements: (using 'Exceptions for Qualifying Small Lots')

**Building Setbacks**  
 Front - average front setback of principal structures located on adjoining parcels, but in no case less than 20 feet from the right-of-way  
 Side Yard - 10 percent of lot width measured at the building setback line on each side of the structure, but in no case less than seven feet  
 Rear Yard - 20 percent of lot depth, but in no case less than seven feet  
 OHWL - 75 feet

Maximum Building Height - 35 feet

Property may be subject to Shoreland Districts standards.  
 Refer to City code for additional requirements, exceptions and modifications.

**Impervious Surface**

Hardcover	
Lot Area	14,197 sq ft
Building	721 sq ft
Deck	703 sq ft
Garage	322 sq ft
Pavers	325 sq ft
Bituminous	350 sq ft
Pavers	43 sq ft
<b>Total</b>	<b>2,464 sq ft</b>
Percentage	17.36%

Area of property above the 150 foot setback line from the OHW = 4598± sq ft  
 Area of property below the 150 foot setback line from the OHW = 9599± sq ft

**Miscellaneous Notes**

- ① Property Address: 3169 Lake Shore Blvd., Minnetonka, MN 55391  
PID No.: 17-117-22-13-0010
- ② Area of Parcel = 14,197± sq. ft. (area to shoreline)
- ③ By graphic interpretation only, this property is in Flood Zone "X" (area of minimal flooding) and Zone "AE" (flood elev. 931.1) per FEMA panel map number 27053C0328F dated 11/4/2016.
- ④ Title insurance commitment showing property description and any encumbrances of record not provided, survey subject to change. The only easements shown are from plats of record or information provided by client.
- ⑤ Property located in Section 17, Township 117, Range 22, Hennepin County, Minnesota.
- ⑥ Benchmark: Elevation = feet

**Legal Description**

Lot 42, Block 1, THORPE BROS GROVELAND SHORES  
 Hennepin, County, Minnesota

F:\survey\thorpe brothers groveland shores - hennepin\42-1\01 Surveying - 90201101 CAD\01 Source\01 Survey Base.dwg

FIELD BY: NRS  
 DRAWN BY: [Signature]  
 CHECKED BY: GRP

I certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed land Surveyor under the laws of the State of Minnesota.  
 Surveyed this 10th day of October 2022.

Signed: [Signature]  
 Gregory R. Prasch Registration No. 24992

REVISION SUMMARY	
5-15-23	OHW setback line and areas
5-22-23	tree species

**DEMARC**  
 LAND SURVEYING & ENGINEERING  
 7601 73rd Avenue North (763) 560-3093  
 Minneapolis, Minnesota 55428 Demarcinc.com

MARK D. WILLIAMS CUSTOM HOMES  
 P.O. BOX 268  
 Excelsior, MN 55331

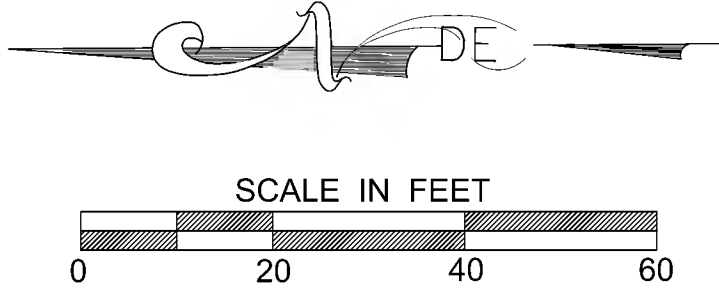
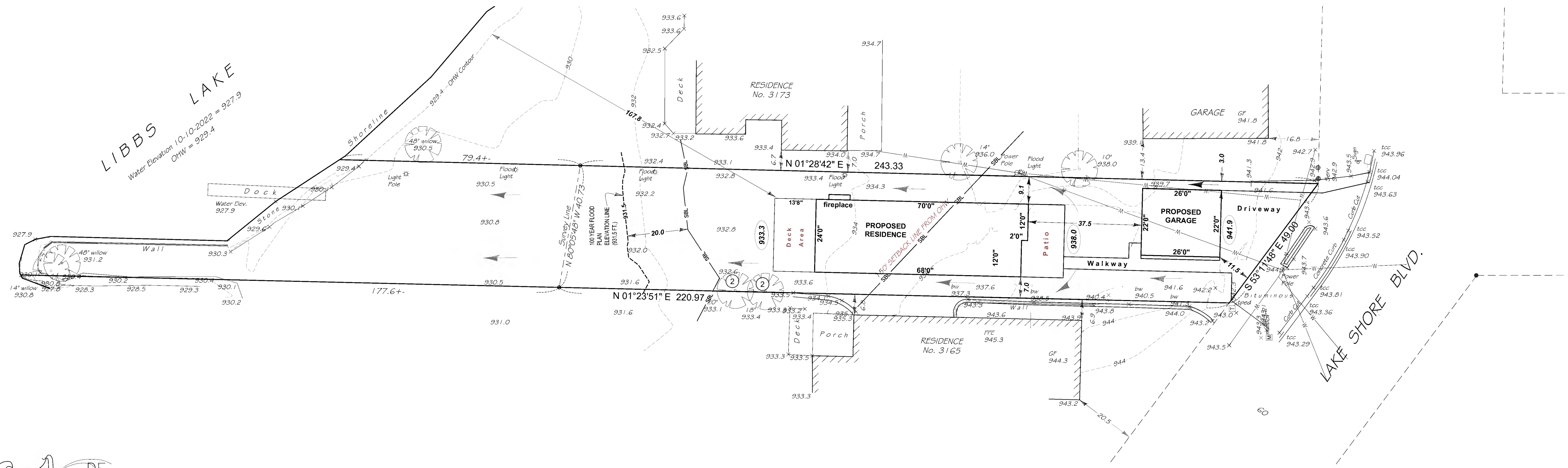
TYPE OF SURVEY:  
**EXISTING CONDITIONS SURVEY**

SURVEY OF:  
**3169 Lakeshore Blvd.  
 Minnetonka, MN**

PROJECT: 90201  
 FB No: \*\*\*\*\*  
 SHEET NO.  
**1 OF 1**



**LIBBS LAKE**  
 Water Elevation 10:10:2022 = 927.9  
 OHW = 929.4



**Legend**

- Denotes Found Iron Monument
- Denotes Iron Monument Set
- ☆ Light
- ⚡ Power Pole
- ⚓ Hydrant
- ⊙ Sanitary Manhole
- ⊙ Storm Manhole
- ⊙ Water Manhole
- Catch Basin
- Ⓜ Telephone Pedestal Riser
- Ⓜ Cable Pedestal Riser
- Ⓜ Electric Box or Transformer
- Ⓜ Air Conditioner Compressor
- W — Denotes Overhead Wires
- ① Boxelder
- ② Red Maple

**Zoning Information**

Property Currently Zoned: R-1, Single-Family Residential  
 Zoning Ordinance Requirements: (using "Exceptions for Qualifying Small Lots")  
**Building Setbacks**  
 Front - average front setback of principal structures located on adjoining parcels, but in no case less than 20 feet from the right-of-way  
 Side Yard - 10 percent of lot width measured at the building setback line on each side of the structure, but in no case less than seven feet  
 Rear Yard - 20 percent of lot depth, but in no case less than seven feet  
 OHWL - 75 feet  
 Maximum Building Height - 35 feet  
 Property may be subject to Shoreland Districts standards.  
 Refer to City code for additional requirements, exceptions and modifications.

**Impervious Surface**

*Proposed Hardcover*

Lot Area	14,251 sq ft
Residence	1,656 sq ft
Deck	328 sq ft
Patio	312 sq ft
Garage	572 sq ft
Driveway & walk	826 sq ft
Total	3,694 sq ft
Percentage	25.92%

Area of property above the 150 foot setback line from the OHW = 4598± sq.ft  
 Area of property below the 150 foot setback line from the OHW = 9599± sq.ft

**Miscellaneous Notes**

- ① Property Address: 3169 Lake Shore Blvd., Minnetonka, MN 55391  
PID No.: 17-117-22-13-0010
- ② Area of Parcel = 14,197± sq. ft. (area to shoreline)
- ③ By graphic interpretation only, this property is in Flood Zone "X" (area of minimal flooding) and Zone "AE" (flood elev. 931.1) per FEMA panel map number 27053C0328F dated 11/4/2016.
- ④ The legal description and easements, if any, per title commitment from CHB Title, LLC Title Commitment No. 59033, dated May 24, 2023.
- ⑤ Property located in Section 17, Township 117, Range 22, Hennepin County, Minnesota.

**Legal Description**

Lot 42, Block 1, THORPE BROS GROVELAND SHORES  
 Hennepin, County, Minnesota

FIELD BY: NRS  
 DRAWN BY: [Signature]  
 CHECKED BY: GRP  
 I certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.  
 Prepared this 5th day of June 2022.  
 Signed: [Signature]  
 Gregory R. Praseh Registration No. 24992

**REVISION SUMMARY**

6/7/2023	review title work

**DEMARC**  
 LAND SURVEYING & ENGINEERING  
 7601 73rd Avenue North (763) 560-3093  
 Minneapolis, Minnesota 55428 DemarcInc.com

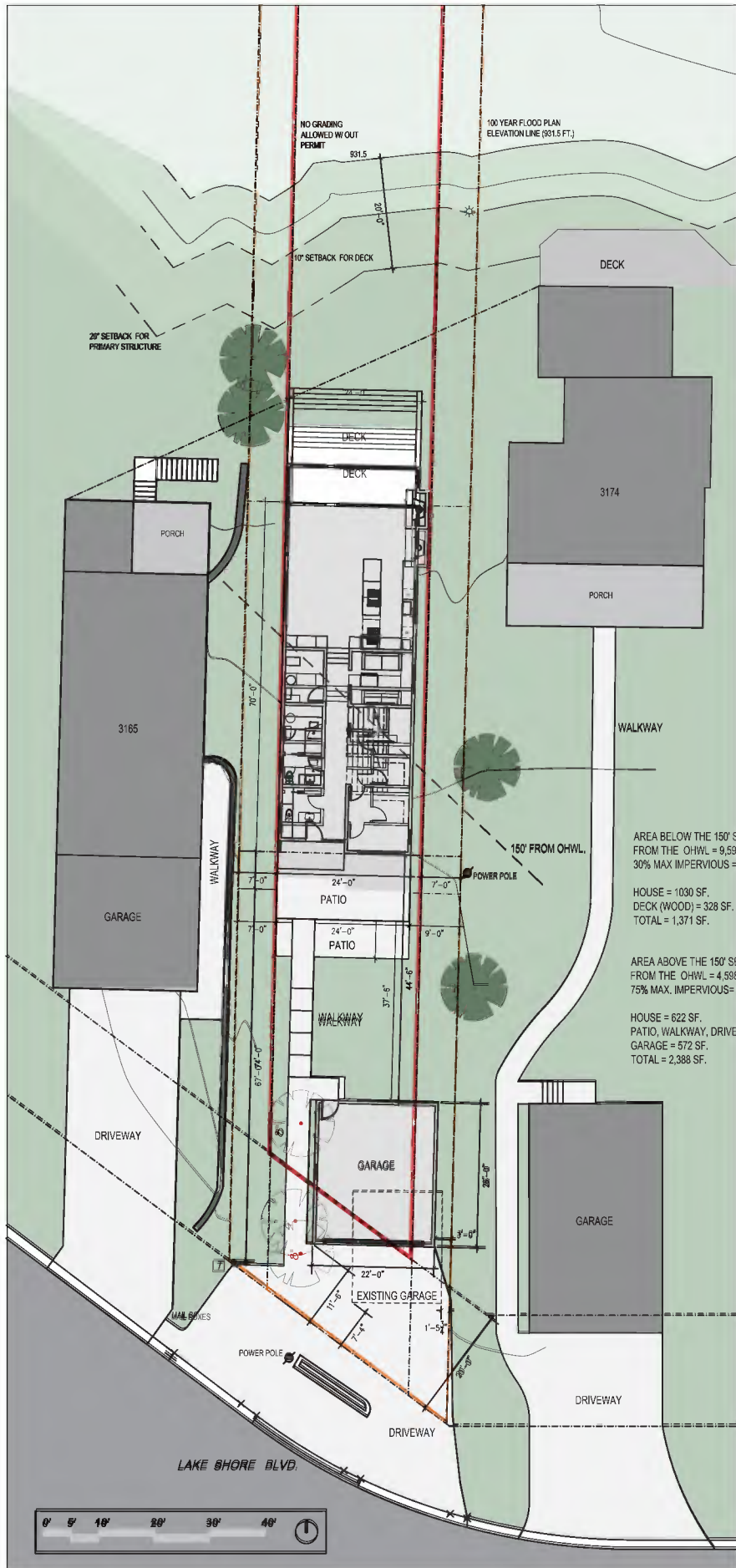
**MARK D. WILLIAMS CUSTOM HOMES**  
 P.O. BOX 268  
 Excelsior, MN 55331

TYPE OF SURVEY:  
**SITE PLAN SURVEY**

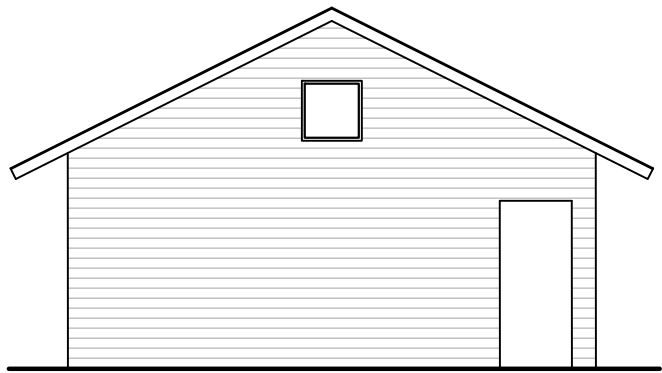
SURVEY OF:  
**3169 Lakeshore Blvd.  
 Minnetonka, MN**

PROJECT: 90201  
 FB No: \*\*\*\*\*  
 SHEET NO.  
**1 OF 1**

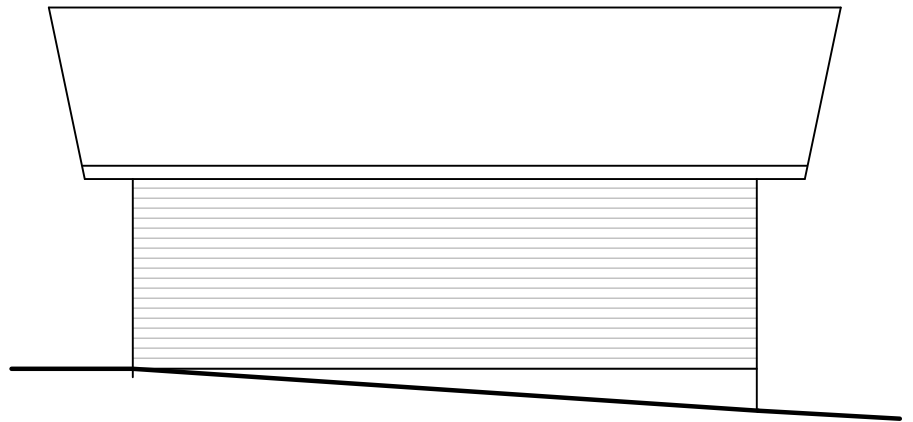




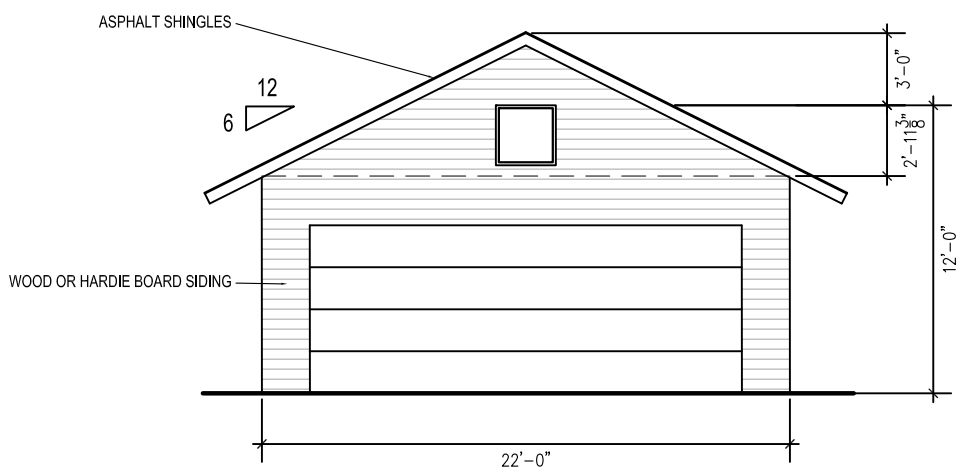




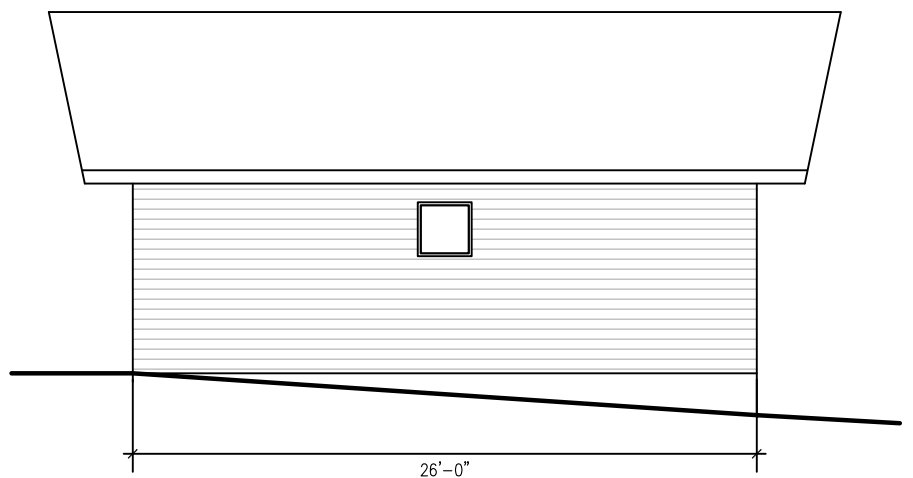
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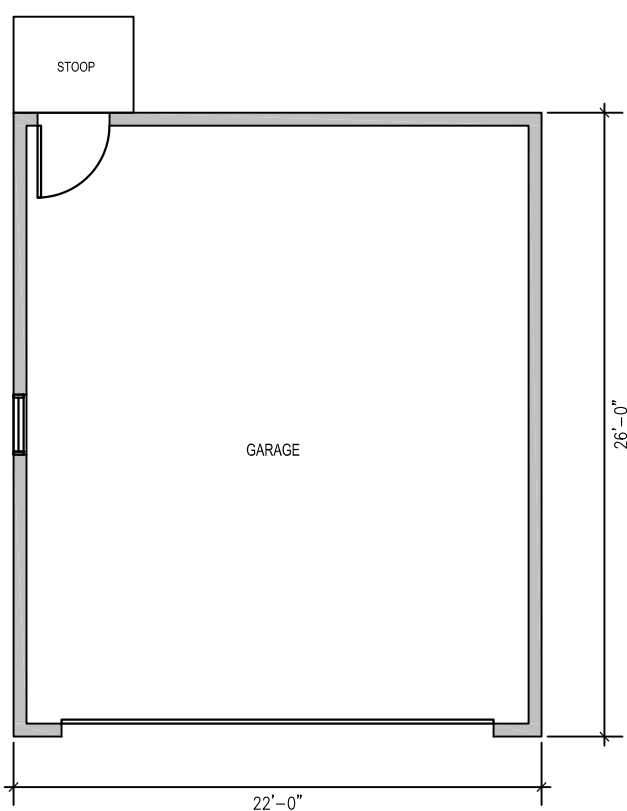
EAST



SOUTH



WEST



PLAN

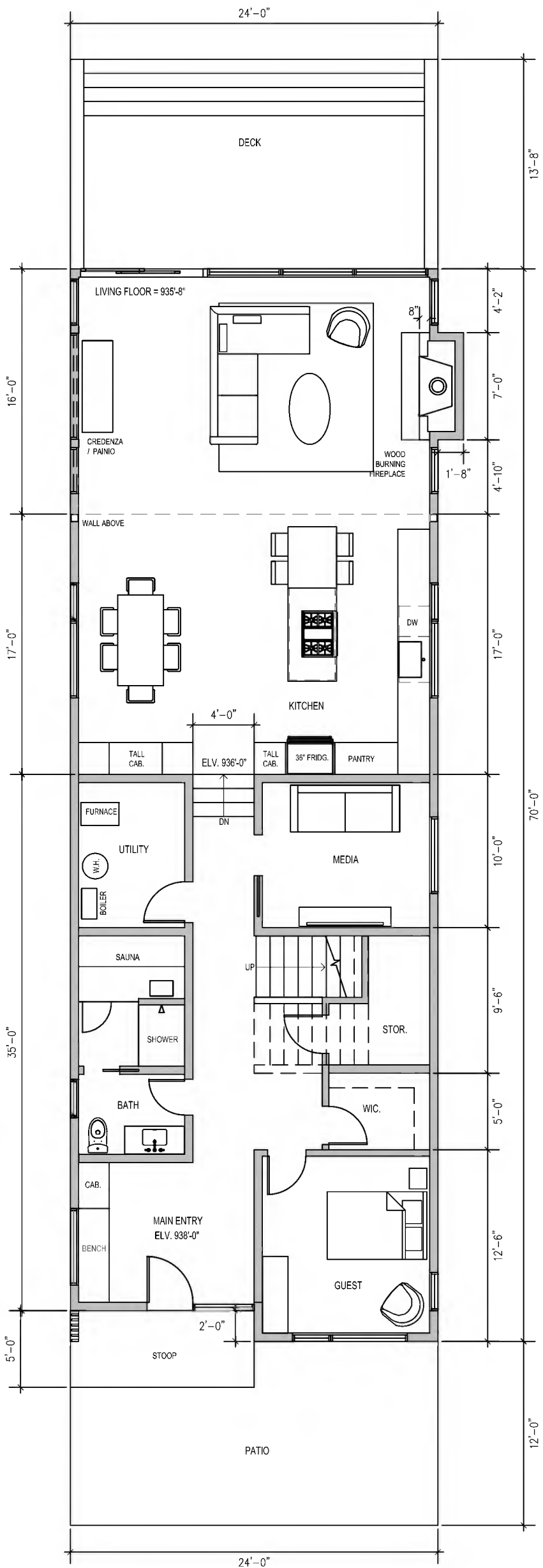
GARAGE PLAN AND ELEVATIONS  
 SCALE: 1/8" = 1'-0"  
 6.29.23

NELSON RESIDENCE  
 3169 LAKE SHORE BLVD.  
 MINNETONKA, MN. 55391

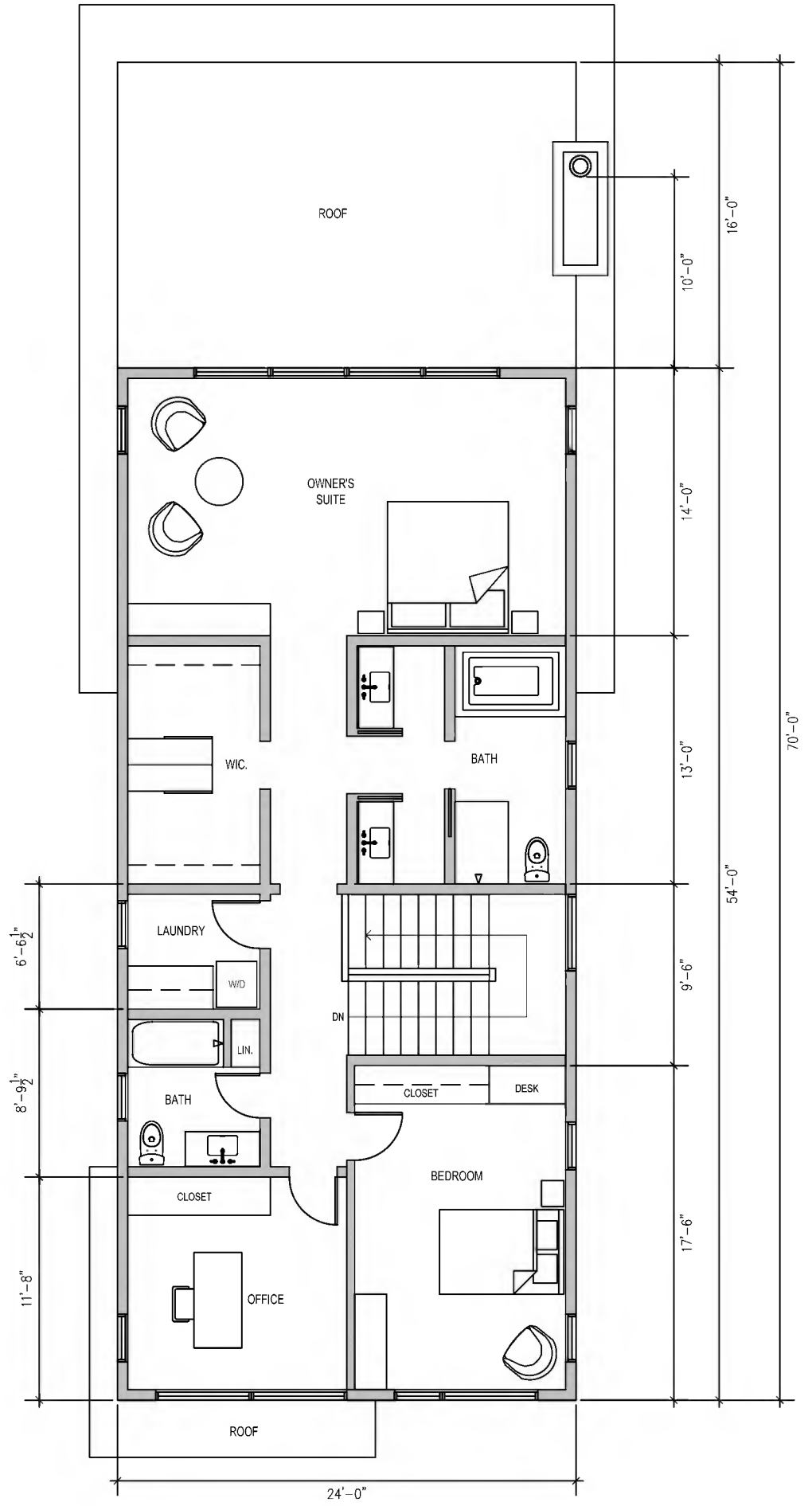
**MARK D WILLIAMS**  
 CUSTOM HOMES INC.







FRIST FLOOR PLAN  
1,668 SF.



SECOND FLOOR PLAN  
1,296 SF.

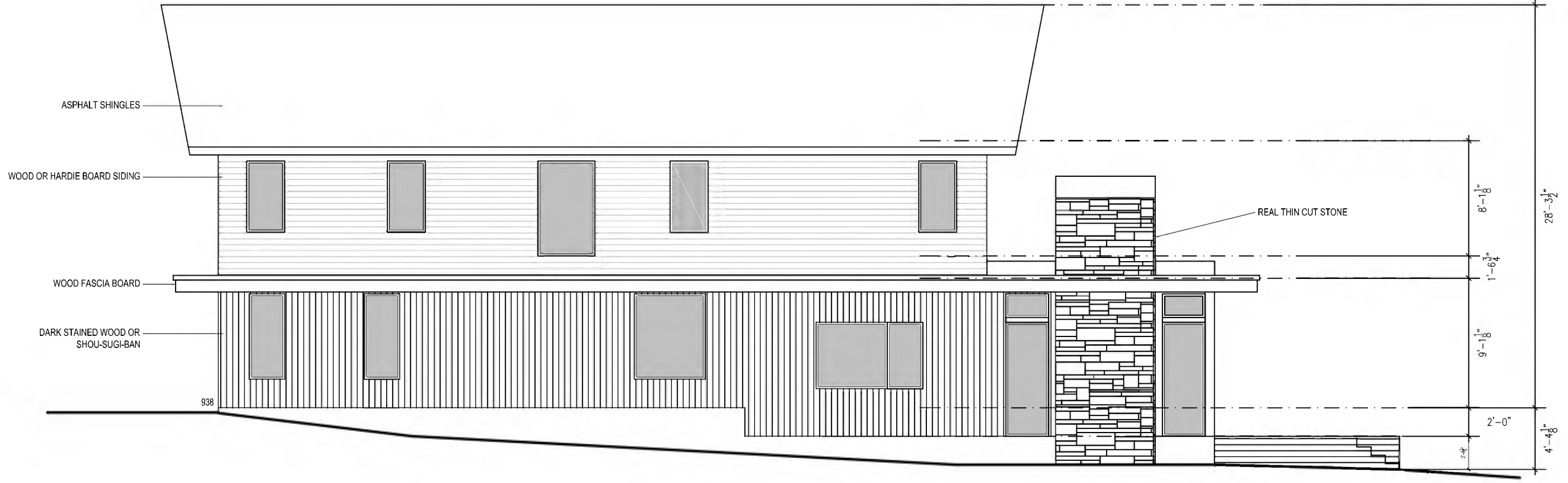
FIRST AND SECOND FLOOR  
SCALE: 1/8" = 1'-0"  
5.31.23

NELSON RESIDENCE  
3169 LAKE SHORE BLVD.  
MINNETONKA, MN. 55391

MARK WILLIAMS  
CUSTOM HOMES INC.







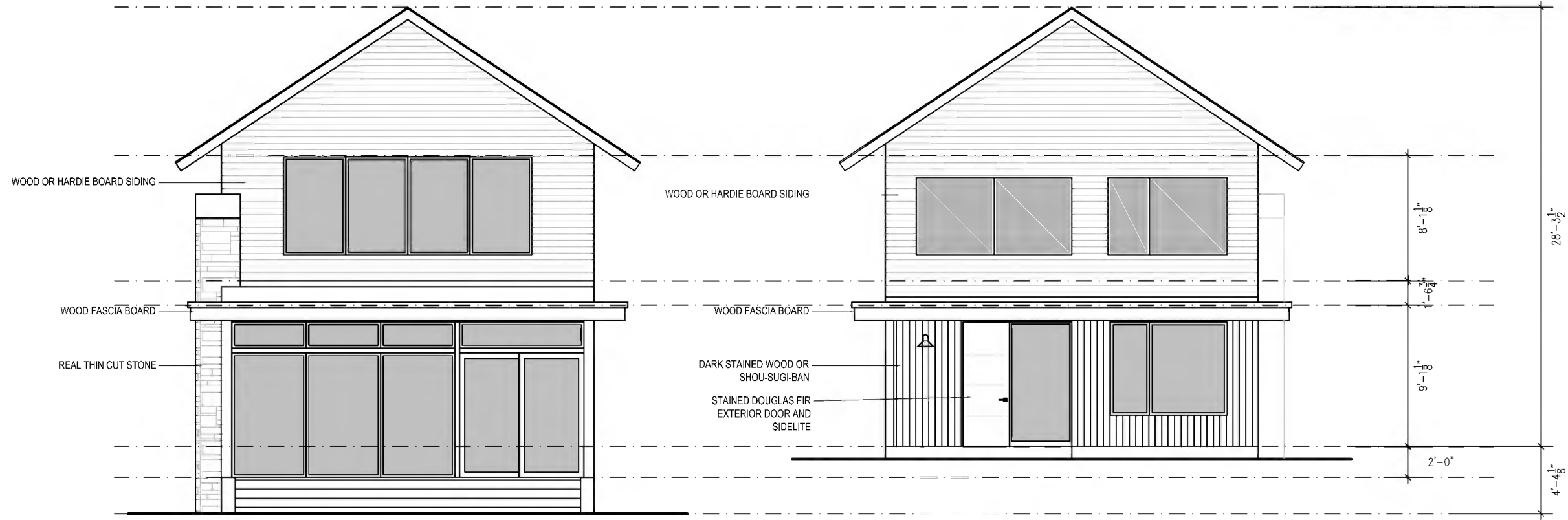
**EAST ELEVATION**  
 SCALE: 1/8" = 1'-0"  
 5.31.23

NELSON RESIDENCE  
 3169 LAKE SHORE BLVD.  
 MINNETONKA, MN. 55391

**MARK D WILLIAMS**  
 CUSTOM HOMES INC.







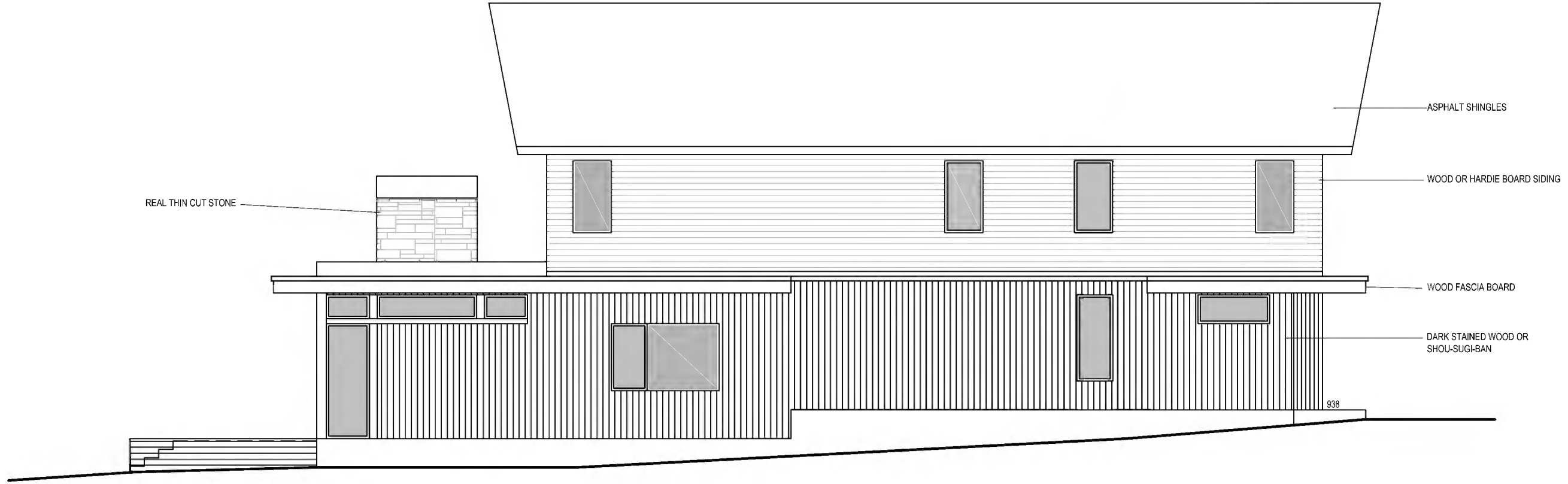
**NORTH AND SOUTH ELEVATION**  
 SCALE: 1/8" = 1'-0"  
 5.31.23

NELSON RESIDENCE  
 3169 LAKE SHORE BLVD.  
 MINNETONKA, MN. 55391

**MARK D WILLIAMS**  
 CUSTOM HOMES INC.







REAL THIN CUT STONE

ASPHALT SHINGLES

WOOD OR HARDIE BOARD SIDING

WOOD FASCIA BOARD

DARK STAINED WOOD OR SHOU-SUGI-BAN

938



**MARK D WILLIAMS**  
CUSTOM HOMES INC.

NELSON RESIDENCE  
3169 LAKE SHORE BLVD.  
MINNETONKA, MN. 55391

**WEST ELEVATION**  
SCALE: 1/8" = 1'-0"  
5.31.23

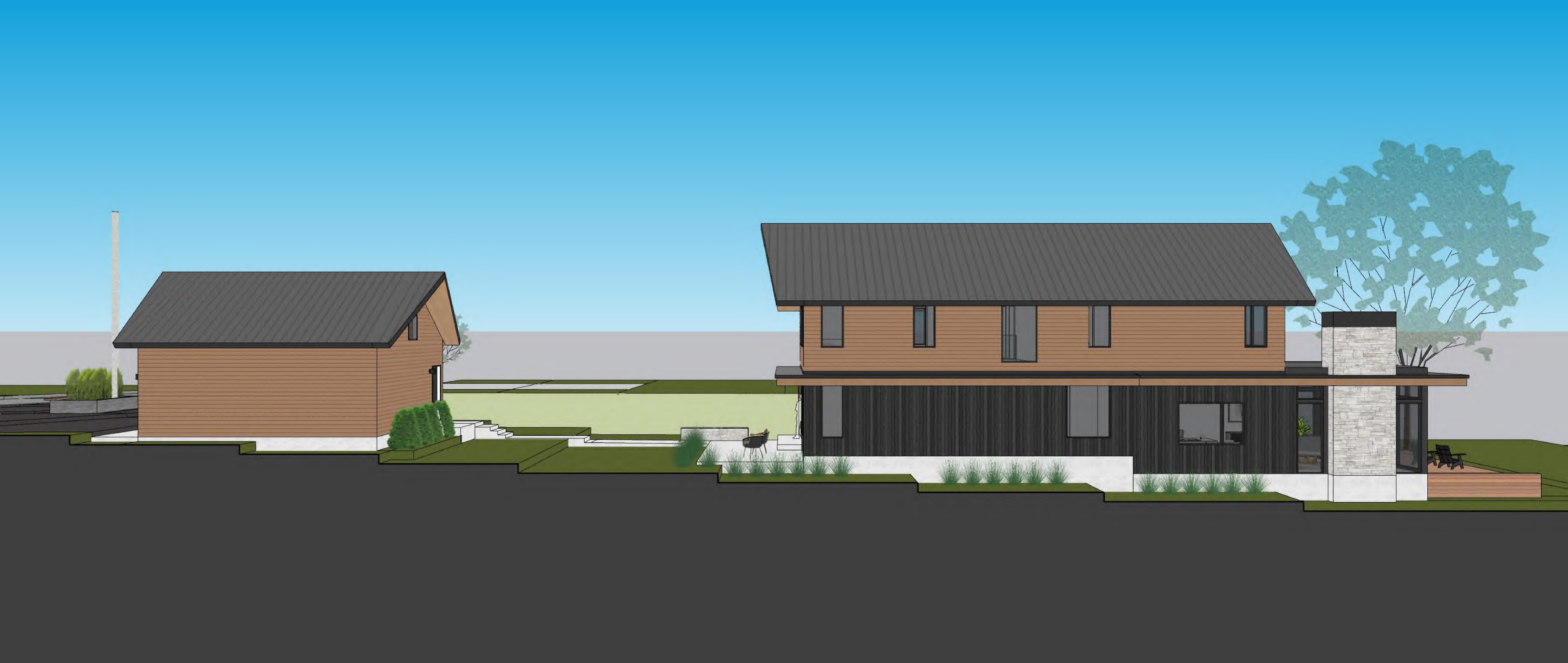






























**Planning Commission Resolution No. 2023-**  
**Resolution approving a setback variance for a detached garage**  
**At 3169 Lake Shore Blvd.**

---

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

Section 1. Background.

1.01 Karl Adalbert and Mark Williams, on behalf of the property owners, have requested a variance from the city code to construct a detached garage. (Project #23011.23a)

1.02 The property is located at 3169 Lake Shore Blvd. It is legally described as:

Lot 42, Block 1, THORPE BROS GROVELAND SHORES, Hennepin County, Minnesota.

1.03 The lot is considered a small lot by City Code §300.10, Subd. 7 as the lot is: (1) less than 15,000 square feet; (2) was a lot of record as of Feb. 12, 1966; and is (3) located in an area in which the average size of all residential lots within 400 feet is less than 15,000 square feet.

1.04 City Code §300.10, Subd. 7 outlines the required setbacks for qualifying small lots. The following summarizes the required and proposed setbacks:

	<b>Required</b>	<b>Existing</b>	<b>Proposed</b>
Front yard setback	20 feet	7.3 feet	11.5 feet
East side yard setback	1.5 feet	21 feet	3 feet

1.05 Minnesota Statute §462.357 Subd. 6, and City Code §300.07 authorizes the Planning Commission to grant variances.

Section 2. Standards.

2.01 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 means: (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 meets the variance standard outlined in City Code §300.07 Subd. 1(a):

1. **PURPOSE AND INTENT OF THE ZONING ORDINANCE:** The purpose and intent of the zoning ordinance is to ensure adequate separation between the right-of-way and adjacent structures. The proposed garage would be setback further than the existing garage from the front and east property line.
2. **CONSISTENT WITH COMPREHENSIVE PLAN:** The guiding principles in the comprehensive guide plan provide for maintaining, preserving, and enhancing existing single-household neighborhoods. The requested variance would not negatively impact the existing residential character of the neighborhood and would provide an investment into the property.
3. **PRACTICAL DIFFICULTIES:** There are practical difficulties in complying with the ordinance:
  - a. **REASONABLENESS:** By planning commission policy, a 24-foot by 24-foot garage is a reasonable use on a single household property. The proposed garage would be a 22-foot by 20-foot garage. A side yard setback variance would still be required if the garage was moved back to meet the required front yard setback but doing so would also increase the amount of impervious surface on the property. The proposed setback request is reasonable.
  - b. **UNIQUE CIRCUMSTANCE:** The property has just over 9,000 square feet of upland area. The garage is setback 1.5 feet from the eastern property line, and the two-foot overhangs encroach onto the adjacent property. The proposed garage would be set back further from the property lines than the existing garage. The property size and existing setbacks are a circumstance unique to the property.
  - c. **CHARACTER OF LOCALITY:** The proposed garage would be set back further from the front property line and would have a setback more similar to adjacent structures.

Section 4. Planning Commission Action.



- 4.01 The Planning Commission approves the above-described variance based on the findings outlined in section 3 of this resolution. Approval is subject to the following conditions:
1. Subject to staff approval, the site must be developed and maintained in substantial conformance with the following plans, excepted as modified by the conditions below:
    - Survey dated May 22, 2023
    - Proposed conditions survey dated June 7, 2023
    - Elevations submitted on June 23, 2023
  2. Prior to issuance of a building permit:
    - a) A copy of this resolution must be recorded with Hennepin County.
    - b) Confirm the location of the sewer and water services. If under the garage, it must be exposed to confirm that the pipe materials are compliant with the MN Plumbing Code.
    - c) Submit a cash escrow in the amount of \$1000. 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 following:
      - 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.
    - d) Submit a tree mitigation plan to confirm the plan meets mitigation requirements as outlined in the ordinance. No mitigation is required based on the submitted plans.
    - c) Install a temporary rock driveway, erosion control, tree and wetland protection fencing and any other measured as identified as the SWPPP for staff inspection. These items must be maintained throughout the course of construction.
  3. A conditional use permit is required for the garage to exceed 12 feet in height.



4. Take precautions to not damage the street or curb line during construction.
5. The walkway and the proposed home, shown on the proposed survey, would require a variance to the city's tree protection
6. This variance will end on Dec. 31, 2024, unless the city has issued a building permit for the project covered by this variance or has approved a time extension.

Adopted by the Planning Commission of the City of Minnetonka, Minnesota, on July 6, 2023.

---

Josh Sewall, Chairperson

Attest:

---

Fiona Golden, Deputy City Clerk

Action on this resolution:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

Absent:

Resolution adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Planning Commission of the City of Minnetonka, Minnesota, at a duly authorized meeting held on July 6, 2023.

---

Fiona Golden, Deputy City Clerk



**MINNETONKA PLANNING COMMISSION**  
**June 6, 2023**

**Brief Description**

Items concerning RIDGEWOOD PONDS, a 13-lot subdivision, at 18116 Ridgewood RD, and unaddressed parcel:

- Rezoning from R-1, low density residential, to PUD, planned unit development;
- Master development plan; and
- Preliminary plat

**Recommendation**

Recommend the city council approve the proposal.

**Background**

In 2003, the city approved MARSHEs OF MEADOWWOODS. The approval included a condition to “provide a road and utility easement to the city over the outlot that would run along the easterly property line between the affordable housing lot and Ridgewood Road.”

A right-of-way easement over Outlot C was recorded in 2004. This easement allows the location, construction, reconstruction, operation, maintenance, inspection, alter and repair a public roadway, storm sewer, sanitary sewer and water facilities, ground surface drainage ways and sidewalks or other public facilities or improvements.

In Jan. 2023, the council reviewed a [concept plan](#) submitted by Ron Clark Construction. The plan contemplated the removal of the existing home for the construction of 13 one-story, villa-style homes. Some of the council members expressed concern related to the density, parking and stormwater. Minutes from the concept plan can be found.

Ron Clark Construction hosted three neighborhood meetings. The following is to summarize those meetings:

- Jan. 19, 2023: Seventeen people attended the meeting. The residents asked questions about the project timeline, access history, site logistics and contractor parking, snow storage, and pedestrian considerations.

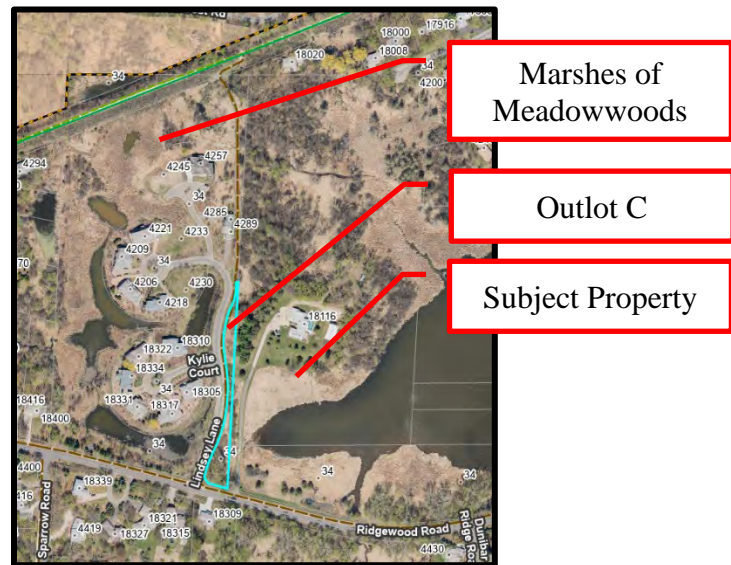


Figure 1: Existing Conditions



Figure 2: Concept plan



- March 1, 2023: Fourteen residents attended the meeting. The residents asked questions about landscaping on the Marshes at Meadowwoods entrance, development entrance alignment, density, and stormwater management.
- June 13, 2023: Ron Clark Construction held a neighborhood meeting at Marshes of Meadowwoods. Twelve residents attended. Attendees discussed a plan for buffering the landscaping on the Marshes of Meadowwoods. The residents asked questions about the size of the proposed buffering plants, location of the access and trail grades north of the proposed access. The residents also discussed the overlook and proposed trail.

On [May 1, 2023](#) the council introduced the ordinance to rezone the property from R-1, low density residential, to PUD, planned unit development. The council asked questions about the access, density, and house size. Several of the commissioners encouraged the planning commissioners discuss the number of units, buffers, and public purpose.

### **Formal Application**

Ron Clark Construction has submitted formal applications for the redevelopment of the site. The submitted plans generally reflects the concept plan. As previously contemplated, the existing house would be removed and 13 villa-style homes would be constructed.

The proposal requires:

- 1) **Rezoning.** The property is currently zoned R-1, low density residential. The applicant is requesting that the properties be rezoned to PUD, Planned Unit Development;
- 2) **Master Development Plan.** By city code, review and approval of a master development plan is required in conjunction with a rezoning to PUD; and a
- 3) **Preliminary Plat.**

### **Proposal Summary**

The following is intended to summarize the proposal:

- **Existing Site Conditions:**

The site is roughly 24 acres in size (five acres upland). The site is improved with a single-household house and an accessory structure. The property slopes downwards in all directions from the highest point of the property which is generally located in the area of the existing home. The property is encumbered by wetland and associated floodplain.

Of the 932 inventoried trees, 652 trees are regulated.

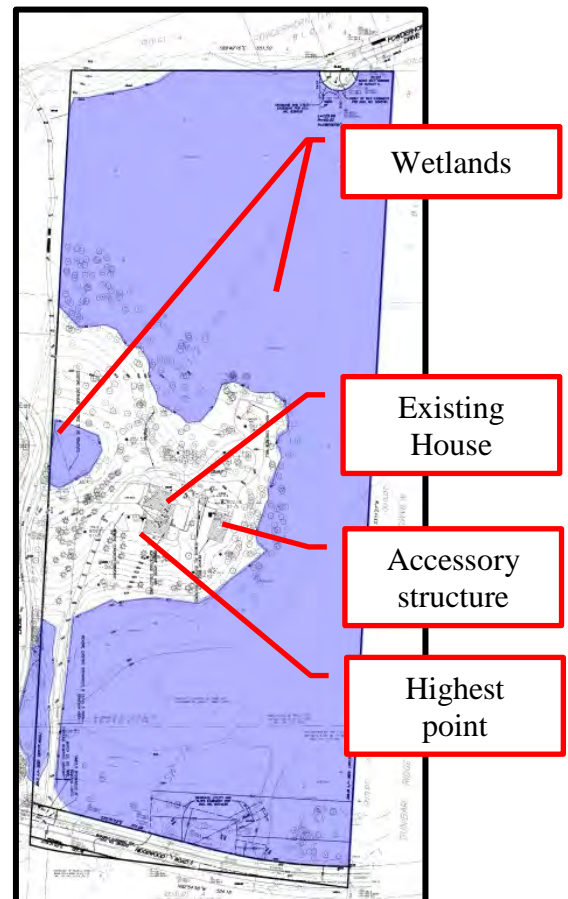


Figure 3: Existing Conditions - Wetlands



- **Proposal and Site impacts:**

The existing structures would be removed. A new, roughly 330-foot, public cul-de-sac, with eight guest parking stalls, would be constructed and intersect with Lindsey Lane via the right-of-way over Outlot C, MARSHES OF MEADOWWOODS. Thirteen new homes would be constructed.

Eight of these homes would have direct access onto the public roadway. Three of the remaining lots would be served by a private drive and two would share a private driveway.

The lots would range in size from 10,025 to 16,350 square feet in size.

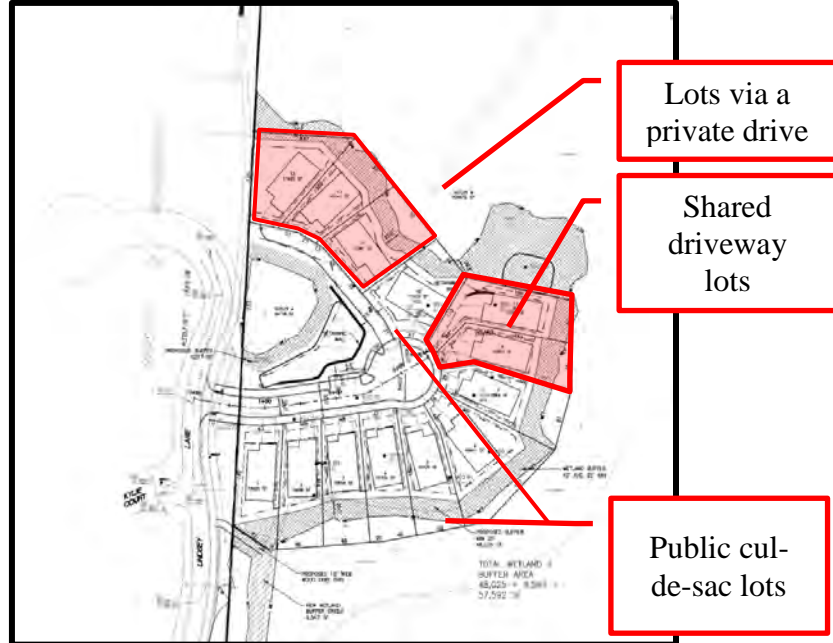


Figure 4: Plat

Public utilities would be extended from Lindsey Lane to serve the new development. Private utilities would be extended from the cul-de-sac to serve the private drive lots.

To accommodate the residential development and the infrastructure necessary to support it – roads, utilities, and stormwater facilities – the topography of the site would be altered. Roughly 900 trees located on the upland and within a portion of the wetland – roughly 41-percent of the site - were inventoried as part of the proposal. This grading would result in the removal of 33-percent of the inventoried high priority trees and 47-percent of the inventoried significant trees.

### **Primary Questions and Analysis**

A land-use proposal is comprised of many details. These details are reviewed by members of the city’s community development (economic development and planning), engineering, fire, legal, natural resources, and the public work department and divisions. These details are then aggregated into a few primary questions or issues. The following outlines the questions, issues, and analysis associated with the proposal:

- Is the use of PUD zoning appropriate?

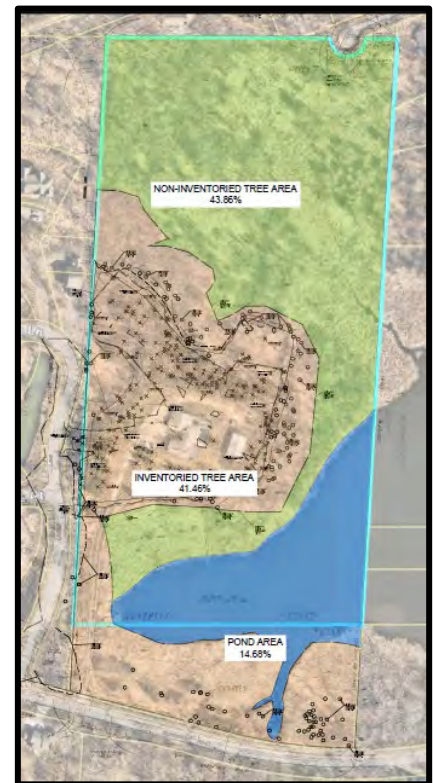


Figure 5: Areas of tree inventory



Yes. By city code, PUD zoning can be used if it will result in a public benefit.<sup>1</sup> Staff finds that the proposal would result in the following public benefits:

- ✓ **Housing type.** By code, the “provision of a housing type that is desirable to the city” is considered a public benefit. The proposed houses would offer a “single-level lifestyle living” housing type.
  - ✓ **Energy conservation.** By code, “greater energy conservation through building and site design than would otherwise be achieved under a non-PUD development” is a public benefit. The applicant is committing to constructing all buildings in the development under the [MN GreenPath](#) Advanced Certification program and 3<sup>rd</sup> party certifications submitted to the city. Additionally, EV charging stations would be roughed-in to each home.
  - ✓ **Natural resources preservation.** By code, “greater preservation of existing natural resources and other public benefits as recognized by the city” are public benefits. The proposal includes a restoration plan for the smaller wetland west of the new cul-de-sac. The proposal also includes a restoration plan for the larger wetland buffer areas. A natural woodchip trail connection to the current trail system along Lindsey Lane and Ridgewood Road and a wildlife overlook into the open-water wetland is proposed in the location of the existing driveway. Any excess driveway area not used for the trail would be decommissioned, removed and restored to wetland buffer.
- Is the density appropriate?

Yes. The property is guided for low density residential by the 2040 Comprehensive Guide Plan. Development within this district range from two to four dwelling units per acre. The site’s proposed density<sup>2</sup> – excluding wetland, floodplain, right-of-way – is 3.14 units per acre.
  - Is the access from Lindsey Lane appropriate?

Yes. In 2003, planning staff anticipated that the subject property would be redeveloped and an easement was dedicated to ensure future access to the parcel. The new public cul-de-sac would intersect with Lindsey Lane through Outlot C, which is encumbered by the road and utility easement. The existing driveway is not a viable public access for the development due to it bisecting through a wetland. The portions of the existing driveway not utilized for the trail will be decommissioned for vehicular traffic will be restored back to wetland buffer.
  - Are the anticipated site impacts acceptable?

---

<sup>1</sup> City Code §300.22, Subd. 2(e), Planned Unit Development District

<sup>2</sup> By City Code §300.02, “density” is the number of dwelling units per acre of land, excluding existing or proposed rights-of-way intended to be used for location of streets and areas zoned for wetland, floodplain, or below the ordinary high water level of a public water, as regulated by the comprehensive plan.



Yes. Grading would occur to accommodate the new public cul-de-sac, private drive, utilities, stormwater, and the construction of the new homes. Staff finds these impacts acceptable.

**Trees.** A tree inventory of the entire site was not required due to the size and density of trees onsite. Roughly 900 trees were inventoried on the upland area and a portion of the wetland adjacent to the upland was inventoried. The proposal would meet the city's tree protection ordinance, as:

	<b>Inventoried trees</b>	<b>Removal allowed by Code *</b>	<b>Removal based on plans *</b>
High priority	373 trees	144 trees = 35 %	123 trees = 33%
Significant	121 trees	61 trees = 50%	57 trees = 47.1%
* By city code, a tree is considered removed if 30 percent or more of the critical root zone is compacted, cut, filled or paved.			

Two additional offsite high-priority and nine offsite significant trees would be removed as a result of the project. An additional 30 trees that are not protected due to size, species, or condition are also proposed for removal.

Trees on the remainder of the site (not included in the inventory) are located within the wetland and would be protected by a newly created conservation easement.

**Staff Recommendation**

Adopt the following for RIDGEWOOD PONDS at 18116 Ridgewood Road and an adjacent, unaddressed parcel:

- Ordinance approving a rezoning from R-1, low density residential, to PUD, planned unit development, and adopting a master development plan for the properties.
- Resolution approving the preliminary plat.

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



**Supporting Information**

**Project No.** 22031.23a  
**Property** 18116 Ridgewood Ponds and an adjacent, unaddressed parcel  
**Applicant** Ron Clark Construction

**Surrounding and Subject Properties**

	North	South	East	West	Subject property
Use	Single household	Wetland	Wetland	Single household	Single household
Zoning	R-1			PUD	R-1
Guide Plan Designation	Low density			Low density	Low density

**Lot Information**

	Lot Area	Lot Width at Right-of-Way	Lot Width at Setback	Lot Depth
<b>Lot 1</b>	10,025 sq. ft.	63 ft	63 ft	159 ft
<b>Lot 2</b>	10,458 sq. ft.	48 ft	55 ft	177 ft
<b>Lot 3</b>	10,658 sq. ft.	48 ft	55 ft	180 ft
<b>Lot 4</b>	10,755 sq. ft.	47 ft	55 ft	181 ft
<b>Lot 5</b>	10,434 sq. ft.	37 ft	49 ft	181 ft
<b>Lot 6</b>	16,661 sq. ft.	28 ft	41 ft	183 ft
<b>Lot 7</b>	11,849 sq. ft.	29 ft	46 ft	186 ft
<b>Lot 8</b>	10,642 sq. ft.	24 ft	41 ft	199 ft
<b>Lot 9</b>	11,295 sq. ft.	17 ft	24 ft	85 ft*
<b>Lot 10</b>	11,635 sq. ft.	126 ft	118 ft	120 ft
<b>Lot 11</b>	12,381 sq. ft.	94 ft	97 ft	132 ft
<b>Lot 12</b>	10,141 sq. ft.	57 ft	62 ft	150 ft
<b>Lot 13</b>	11,920 sq. ft.	41 ft	52 ft	146 ft

\* Lot-behind-a-lot



## Site impacts

The property contains a variety of natural resources:

- **Topography.** The highest point of the property is generally located near the existing home. The property slopes downwards towards the site's wetlands in all directions from this point.

The proposed grading is intended to "level out" the undulating topography to accommodate the proposed improvements. Engineering staff have reviewed the proposed grading plan and found it to be acceptable. In some areas, there would be approximately six feet of cut or excavation to accommodate the roadway. Fill would be used to accommodate the new home pads.

A three-foot retaining wall would be located west of the new cul-de-sac. A second smaller retaining wall is proposed on the north side of Lot 9.

- **Trees.** The site is not located within a woodland preservation area. However, it contains many mature trees, primarily Black Ash, Box Elder, Tamarack, Willow and Cottonwood. As noted in Question Four above, the proposal would meet the city's tree protection variance.
- **Wetlands.** A large wetland surrounds the upland area to the north, east and south. This wetland is part of a much larger wetland regulated by the DNR. There is a smaller wetland along the western property line and west of the proposed cul-de-sac.

The applicant has submitted a memorandum (attached) outlining wetland restoration plans for the site. This plan calls for restoring the smaller wetland by removing reed canary grass, improving soils and reestablishing native vegetation. The memo also outlines a plan to restore the wetland buffer of both the smaller and larger wetlands.

The existing driveway would be decommissioned and no longer used for vehicular traffic. A portion of the driveway would be converted into a natural wood chip trail to connect the current city trail system from Lindsey Lane and Ridgewood Road. The trail will also include a boardwalk and overlook into the wetland. The trail and overlook will be public, but the homeowner's association will be responsible for maintenance. Any portion of the existing driveway that is not used for the trail will be restored back to the wetland buffer.

- **Floodplain.** There is a 100-year floodplain surrounding the wetland areas. By ordinance, any new structures must be setback a minimum of 20 feet and two feet above the 100-year floodplain. No floodplain alteration is proposed.



- **Stormwater.** Developments must meet specific stormwater management rules, which include runoff rate control, runoff volume control, and water quality treatment. Stormwater runoff from the new improvements would be collected and directed to infiltration basins (east of the cul-de-sac bump and north of Lot 9). If the project is approved, these stormwater facilities would be constructed at the time of a grading permit.
- **Utilities.** Public sewer and water would be extended from Lindsey Lane. Private extensions would be extended from the utilities within the new cul-de-sac to serve the lots off of the private drive.
- **Parking.** In addition to on-street parking along the new cul-de-sac, eight parking stalls are proposed.

### No Parking

MARSHES OF MEADOWWOODS residents have expressed concern related to contractor parking during construction and have inquired about temporary and permanent “no parking” options on one side of Lindsey Lane. The staff has outlined the following for either option:

- Permanent: Requires a petition signed by all residents of MARSHES OF MEADOWWOODS. The city council must approve the action, and permanent signs are then posted.
- Temporary: The police post temporary “no parking” signs along the roadway and would be removed at some point.

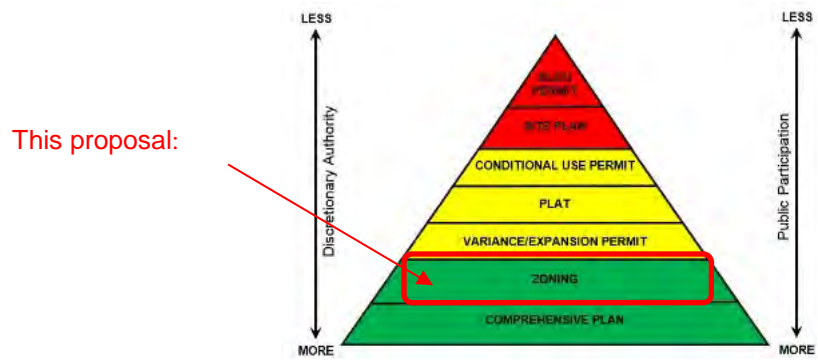
The staff has recommended that temporary no parking signs are posted concurrently with the issuance of a permit along the east side of Lindsey Lane. The signs would be removed either at a time when the neighborhood makes the request to do so, or the construction is complete. The neighborhood residents have expressed a preference for this option. No action by the planning commission related to “no parking” is required.

### MARSHES OF MEADOWWOODS LANDSCAPING

The proposal includes a plan by Natural Shore to propose additional landscaping on MARSHES property. The plan includes the installation of native trees and shrubs to create a “living barrier between the roadway and the existing homes. The main objective is to reduce light from vehicle traffic.” This landscaping is subject to [City Council Policy 11.3, Private Uses of Public Easement Areas](#) and approval by city staff.



### Pyramid of Discretion



### Voting Requirement

The planning commission will make a recommendation to the city council; a recommendation requires a majority vote of the commission. Final approval requires an affirmative vote of five council members, due to the parking variance.

### Neighborhood Comments

The city sent notices to 65 area property owners and received several comments. Those comments are attached.

### Deadline for Decision

**Aug. 8, 2023**



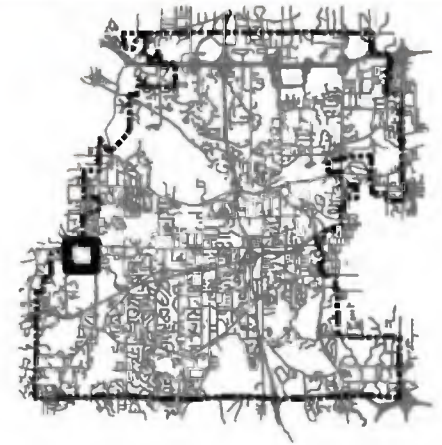


**Subject Properties**



**LOCATION MAP**

Project: Ron Clark Construction  
Location: 18116 Ridgewood Road







SITE PLAN  
SCALE: 1" = 50'-0"

12.19.22





AERIAL SITE PLAN

12.19.22





7500 West 78<sup>th</sup> Street  
Edina, MN 55439  
(952) 947-3000

Monday June 5, 2023 - Updated Memo

Ashley Cauley  
City of Minnetonka  
14600 Minnetonka Blvd  
Minnetonka, MN 55435

RE: Ridgewood Pond Villas

**Ron Clark Construction** is proposing a 13-unit Villa Home neighborhood on the existing 24-acre property located at 18116 Ridgewood Road.

The proposed single family home neighborhood would have thirteen (13) one story Villa Homes. Each home will have a 2-car garage with additional parking for 2 cars in each driveway, including 7 guest parking stalls. There are also approx. 10 additional guest parking spots along the public street and in the cul-de-sac.

The overall goal is to work in balance with the existing natural elements of the site while adding new housing to create a small neighborhood that adds to the city inventory. The One Level design is of high demand for existing Minnetonka residents that are looking for a 'Lifestyle' option while still staying in Minnetonka. This also opens their existing homes to young families looking to raise their children while attending Minnetonka schools. The density of our Villa Home neighborhood is in the middle to lower end of the average of the other Minnetonka villa projects listed below. Whether this site is developed with 6, 10 or 13 homes the overall coverage and the street and utility design will be very similar, but with us doing Villa Home you get one developer, one builder and one association to make sure the project is completed and maintained as shown, vs. having a separate developer, multiple home builders and most likely no Association to coordinate all site maintenance under either an R1 or R1A development.

Applications included:

- 1) Rezoning Application
- 2) Preliminary Plat Application
- 3) Master Development Plan Application







7500 West 78<sup>th</sup> Street  
Edina, MN 55439  
(952) 947-3000

### City Concept Meetings with Planning Commission and City Council

The first step in this process was to determine if the city agrees that changing the zoning for this parcel to a low-density residential PUD is an Appropriate use for the property. We feel strongly that it does by creating new housing, improving water quality going into the adjacent wetland and the Riley Bluff Creek Watershed District, more energy efficient homes, creating value for the existing area, and increasing the tax base.

The majority of the comments and concerns noted below were generated from the City Staff review comments, the Planning Commission Concept Meeting on 1/19/23, the City Council Concept Meeting on 1/30/23 and Neighborhood meetings, conducted on 1/19/23 prior to the Planning Commission meeting and a follow up Neighborhood meeting was also held on 3/1/23. We have incorporated our responses and plan changes to accommodate many of these comments and concerns into our current development application documents. We have then laid out project comparisons and compensating factors that support the project as we are proposing it:

- a) Density compared to other Minnetonka Villa home developments
  - i. See density chart below comparing density for our proposed development to other Villa home developments in Minnetonka

Development Name	Address	Zoning	Units	Property area	Upland	Density
Island Oaks	16509 McGinty Road West	PUD	6 lots	12 acres	4 acres	1.5 units per acre
Highcroft Meadows	14410 Orchard Rd	R-2	12 lots	6.19 acres	NA	1.9 units per acre
Ridgewood Villas	18116 Ridgewood Rd	PUD	13 Lots	24.0 ac	5.04 ac	2.6 units per acre
Villas of Glen Lake	5517 and 5525 Eden Prairie Road	R-3	5 lots	1.5 acres	NA	3.3 units per acre
Solbekken	5740 and 5750 Shady Oak Road	PUD	15 units (three detached units and three condo buildings)	2.29 acres	NA	6.5 units per acre
Groveland Pond	17113 Minnetonka Blvd	PUD	14 lots	5.5 acres	2.9 acres	4.8 units per acre

- ii. Our revised site plan incorporates increased separation between homes, increase rear lot widths by approx. 15%,
- iii. The neighboring Marshes of Meadowood project have a very similar density/buildable area as we are proposing. Their site was originally





rezoned from R-1 to PUD, the total site is approx. 20 acres with lots and streets totaling 7.7 acres with 15 homes which is 2/acre. Of the 7.8 acres, 2.89 acres of their upland area was created by filling of existing wetlands.

- iv. We know concerns about the 13 units and related density were discussed at prior meetings, we believe the above information shows we are on the lower end of the Villa density comparison, that the cul-de-sac location & design, the buildable area of the lots and the finished square foot of the homes that could be built under and R-1 or R-1A would be similar to our Villa Homes, “14 Comparison site plan and views” but the impacts from traffic, noise and other factors related to large Single Family homes are normally higher than with our empty nester villa neighborhoods.

b) Stormwater impact

- i. See included stormwater report and compliance with both City and Riley Bluff Creek Watershed District requirements

c) Wetland impact

- i. See included memorandum from Melissa Barrett with Kjolhaug Environmental outlining the handling of each of the wetland and buffer areas along with a Wetland Map showing the location of the improvements. All work will be in compliance with both City and Riley Bluff Creek Watershed District requirements
- ii. Management Plan for wetland buffer areas
- iii. Wetland improvement of existing impaired wetland on the site
- iv. Removal of the existing driveway and return to wetland buffer
- v. Creation of a public wildlife viewing overlook

d) Buildable area of site

- i. Total Site Area = 24.00 ac
- ii. Buildable Area of Site = 5.04 ac
- iii. Density on buildable area = 13 units/5.04 ac = 2.58 units/ac

e) Parking for visitors

- i. All driveways can accommodate two (2) or more cars, plus two (2) car garages are included with each Villa Home
- ii. Seven (7) additional visitor parking stalls are included





7500 West 78<sup>th</sup> Street  
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- iii. Additional parking is also available on the Public Street and Cul-de-sac
- iv. Width of streets and driveways
- f) Tree plan
  - i. A Tree Mitigation and Protection Plan is provided with our proposal. Our landscape architect has work closely with the City staff to form an acceptable plan that complies with and exceeds the minimums of the new City Tree Ordinance.
- g) Landscaping Plans and screening
  - i. A fully designed landscaping plan is provided with our application
  - ii. Addition of a Wildlife/wetland overlook with access to the public trail system. “15 Trail and Overlook plan”
  - iii. We have met and discussed screening options with the adjacent Marshes of Meadowwood’s development, attached is the design/planting agreement with Natural Shores, the Marshes of Meadowwood’s conservation area management vendor to work with the HOA and our team to create a plan for buffer plantings that will provide screening for the homes adjacent to the Ridgewood Road entrance and our new street entrance onto Lindsey Lane which conform with the requirements of their conservation area. Natural Shores has completed the plan, “16 Buffer plan” staff has concerns about some of the planting being in the current ROW, so it will have to be adjusted onsite with staff before installation.
- h) Lot sizes and building footprint coverages for each lot
  - i. See the attached graphic showing the individual lot sizes, buildable area for each lot and proposed building footprint size for each house

**Zoning:** The current zoning for the site is R-1 and is occupied by a single-family home and various outbuildings. The proposed zoning would be requesting the property be rezoned to a PUD. Even though the number of units is more than either R-1 or R-1 zoning







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would allow, the proposed street and Utilities along with the buildable area of the lots would not be any different under the 3 options,

Our proposal includes the below proposed public benefits in return for the use of the PUD zoning which allows us some flexibility to create our most functional site plan and building layout:

- a) In Compliance with Section 300.22.2 Applicability-Item f) Planned Unit Development District.
  - a. We plan to incorporate the below described MN GreenPath Advanced Certification Program to comply with Item f) “Greater energy conservation through building and site design that would otherwise be achieved under non-PUD development”.
- b) All Buildings will be built under the MN GreenPath Advanced Certification Program and independently monitored and certified by a third-party consultant. This program is similar to other Green Building programs, i.e. LEED and Energy Star but is focused on energy savings and sustainability. There are only a few builders in the metro that do the Advanced Certification portion of the Green Path program, certification is a key component to make sure our representations for the PUD public benefit are actually being followed, we will provide the final certification at the time of Final Building Certificate of Occupancy. Another key component of this program is it continues to evolve as industry standards and building code change, when we started Legacy Oaks the HERS Index required for certification was 52, now it requires a HERS index of 47.
  - i. Additional program requirements and information is provided with our development application under item “09 MN GreenPath Information”.
  - ii. Highlighted Program Benefits:
    - 1. Requires a HERS Index of 47 or less
    - 2. Energy Efficiency = to 53% more energy efficient than the HERS reference home built to code,
    - 3. Third Party Certification by a RESNET Certified Rater
    - 4. Many Green Home Sustainable features are included (see included features in our application documents #09 referenced above).
    - 5. Builder energy certified requirements of Minnesota’s Energy Code PLUS





- a. 5 points in Energy Efficiency
  - b. 5 points in Indoor Environmental Quality
  - c. 5 total points from Water Conservation, Resource Management, or Site Development
  - d. 5 additional points from any of the five categories
6. This program with the 3<sup>rd</sup> party certification is only completed by a small % of homebuilders in the Twin Cities.
- c) Wildlife overlook with seating created on west end of wetland, “15 Trail and Overlook plan” with a natural wood chip trail connection to the current city trail system, from both Lindsey Lane and Ridgewood Road, it will be a public trail and overlook, but the HOA will be responsible for maintaining both.
  - d) EV Charging Stations Rough In’s in each home
  - e) Place a Conservation Easement on the remaining land that is not a buildable portion of the lot or in not part of the DNR wetland
  - f) Wetland Buffer management program, as described in the Kjolhaug memo
  - g) Wetland Improvement to the impaired existing landlocked wetland on the site
  - h) Remove the existing driveway and return this area to wetland buffer. This will improve the wetland as well as reduce traffic issues at Ridgewood Road.
  - i) Removing prior debris dumped in a portion of the wetland as shown in memo.

**Housing and Architecture:** The single family Villa Homes will be planned and designed to fit into the existing neighborhood but also will add a new style of housing not currently in the neighborhood. We are planning a mix of home designs that range between 2800 and 3500 square feet. The home designs will offer two car-plus garages, sunrooms, porches, and decks with a variety internal floorplans and exterior styles. The overall Architecture is still in the development stage but if you look at the neighborhoods, of our active projects you will get a sense of the quality of the homes and the variety of the exterior designs. As discussed at prior meetings we will be working on some additional exterior options that incorporate some of the elements of the existing homes in the adjacent neighborhoods. We are committed to energy efficient building practices as part of the Minnesota Green Path Builder program.

**Home Owners Association:** A Home Owners Association will be planned for the neighborhood. The association will maintain each homes lawn care and snow removal along with maintain any common area landscaping. The Home Owners Association will





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Edina, MN 55439  
(952) 947-3000

be responsible for continuing to actively maintain the wetland buffer areas as is outlined in the Kjolhaug memo in Item #08 of our application.

**Development Team:**

Project Architect – Whitten Associates, Inc. – Tim Whitten and Heather Maanum

Project Engineer – Champion Engineering - Marty Campion

Developer – Ron Clark Construction – Mike Waldo





**WARNING:**

THE CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING FOR LOCATIONS OF ALL EXISTING UTILITIES. THEY SHALL COOPERATE WITH ALL UTILITY COMPANIES IN MAINTAINING THEIR SERVICE AND/OR RELOCATION OF LINES.

THE CONTRACTOR SHALL CONTACT GOPHER STATE ONE CALL AT 651-454-0002 AT LEAST 48 HOURS IN ADVANCE FOR THE LOCATIONS OF ALL UNDERGROUND WIRES, CABLES, CONDUITS, PIPES, MANHOLES, VALVES OR OTHER BURIED STRUCTURES BEFORE DIGGING. THE CONTRACTOR SHALL REPAIR OR REPLACE THE ABOVE WHEN DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.

CALL BEFORE YOU DIG  
**GOPHER STATE ONE CALL**  
 TWIN CITY AREA: 651-454-0002  
 TOLL FREE 1-800-252-1166

# PRELIMINARY PLANS FOR: RIDGEWOOD PONDS MINNETONKA, MN

**PROJECT DIRECTORY**

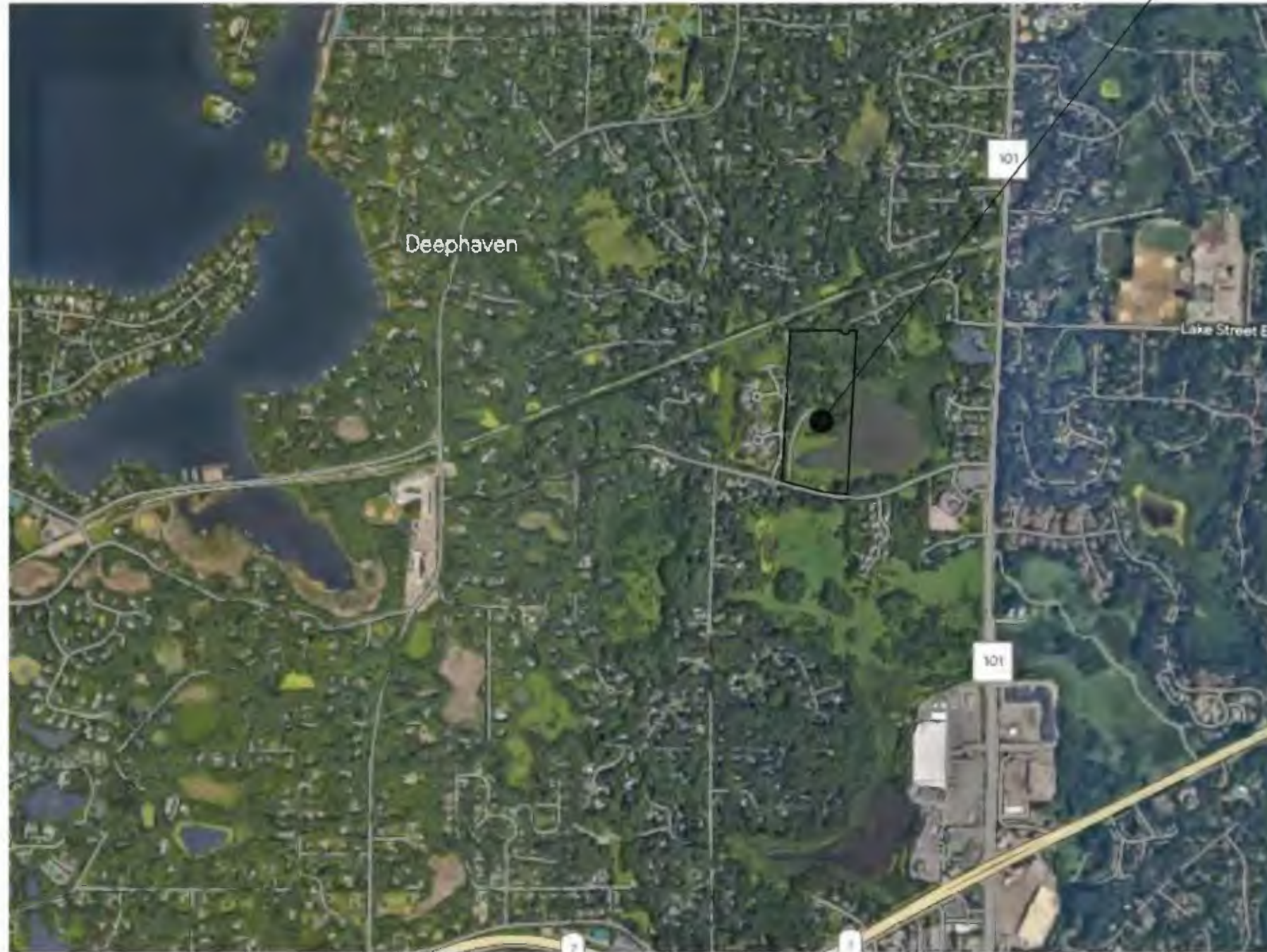
**OWNER:**  
 RON CLARK CONSTRUCTION  
 MIKE WALDO  
 7500 WEST 78TH ST.  
 EDINA, MN 55439  
 PHONE: 952.947.3037  
 EMAIL: MWALDO@RONCLARK.COM

**ENGINEER:**  
 CAMPION ENGINEERING SERVICES, INC.  
 MARTY CAMPION  
 P.O. BOX 41486  
 PLYMOUTH, MN 55441  
 PHONE: 763.486.3799  
 EMAIL: MCAMPION@CAMPIONENG.COM

**LANDSCAPE ARCHITECT:**  
 CIVIL SITE GROUP  
 JORDAN LOCKMAN  
 5000 GLENWOOD AVENUE,  
 GOLDEN VALLEY, MN 55422  
 PHONE: 612.968.5319  
 EMAIL: JLOCKMAN@CIVILSITEGROUP.COM

**SURVEYOR:**  
 STANTEC  
 GARY BJORKLUND  
 1 CARLSON PARKWAY N  
 PLYMOUTH, MN 55447

PROJECT LOCATION



**NOTE:**  
 BOUNDARY AND TOPOGRAPHIC INFORMATION PER SURVEY PREPARED BY STANTEC

**GOVERNING SPECIFICATIONS:**

1. THE MINNESOTA DEPARTMENT OF TRANSPORTATION "STANDARD SPECIFICATIONS FOR CONSTRUCTION" LATEST EDITION & SUPPLEMENTS.
2. CITY ENGINEERS ASSOCIATION OF MINNESOTA (CEAM) STANDARD UTILITIES SPECIFICATIONS. (LATEST EDITION)
3. ALL APPLICABLE FEDERAL, STATE AND LOCAL LAWS AND ORDINANCE WILL BE COMPLIED WITH IN THE CONSTRUCTION OF THIS PROJECT.
4. CITY OF MINNETONKA STANDARD SPECIFICATIONS & DETAILS.

**INDEX**

SHEET NO.	DESCRIPTION
1.	COVER SHEET
2.	EXISTING CONDITIONS & REMOVAL PLAN
3.	PRELIMINARY PLAT-OVERALL
4.	PRELIMINARY PLAT-DETAIL
5.	PRELIMINARY SITE PLAN
6.	PRELIMINARY SANITARY SEWER & WATERMAIN PLAN
7.	PRELIMINARY STREET & STORM SEWER PLAN
8.	PRELIMINARY GRADING PLAN
9.	PRELIMINARY STORM WATER POLLUTION PREVENTION PLAN
10.	DETAILS
11.	DETAILS
12.	DETAILS



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NO.	DATE	DESCRIPTION	REVISIONS
1	05/31/2023	PER CITY COMMENTS	

**CAMPION ENGINEERING SERVICES, INC.**

Civil Engineering • Land Planning

PO BOX 41486  
 PLYMOUTH, MN 55441  
 PHONE: (763)486.3799  
 EMAIL: MCAMPION@CAMPIONENG.COM

I hereby certify that this plan, specification or report has been prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the State of Minnesota.

Martin P. Campion - Lic. # 19901 Date:

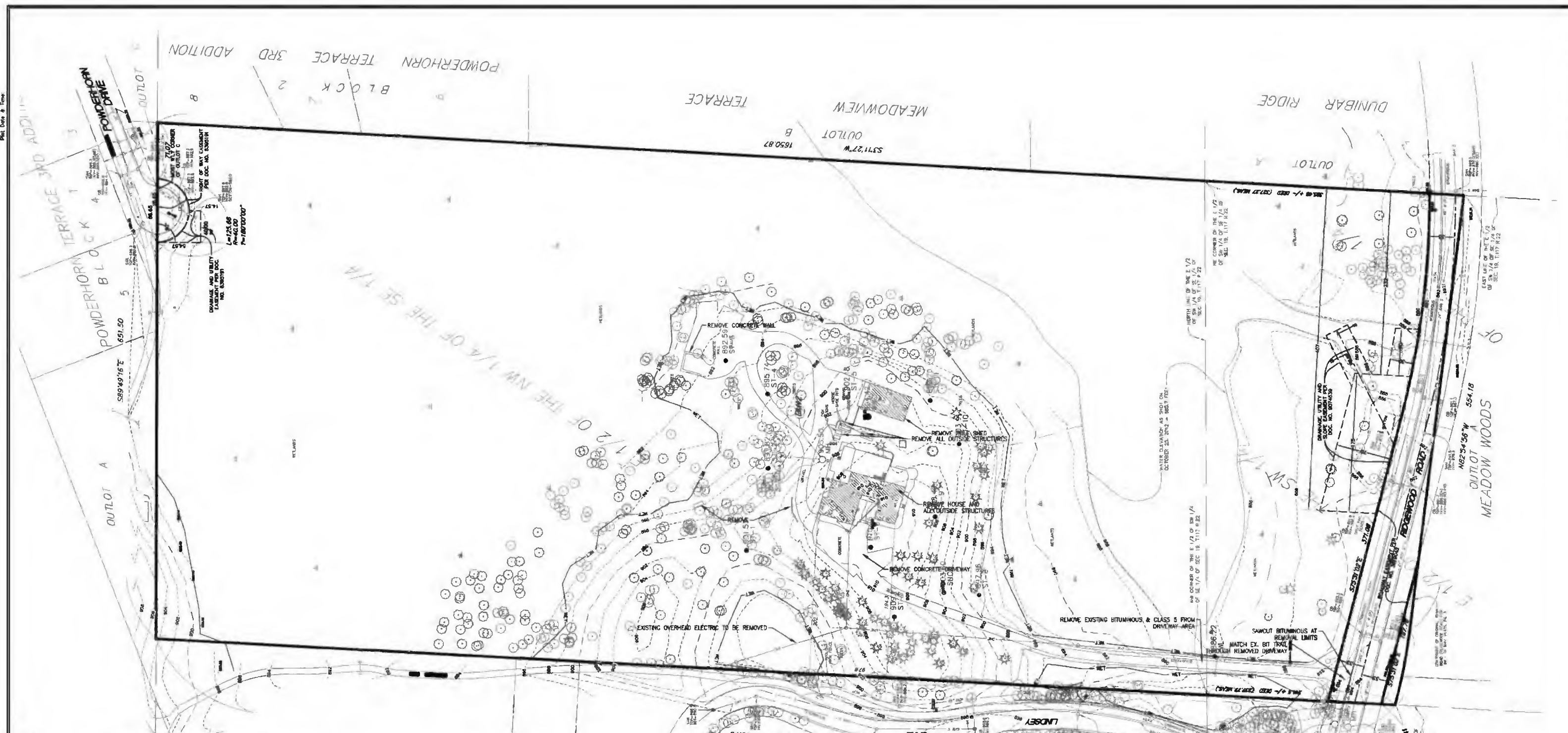
**RIDGEWOOD PONDS**  
 RON CLARK CONSTRUCTION  
 MINNETONKA, MN

COVER SHEET	PROJECT NO: 22-023
SHEET NO. 1 OF 12 SHEETS	DATE: 04/06/2023

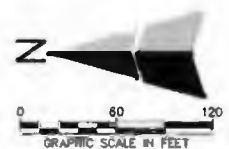


Plot, Date & Title

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- NOTES:
1. ALL EROSION CONTROL MEASURES SHALL BE IN PLACE PRIOR TO ANY REMOVAL WORK.
  2. THE RELOCATION AND OR PROTECTION OF ALL EXISTING UTILITIES MUST BE COORDINATED BETWEEN AFFECTED PARTIES. NO ADDITIONAL COMPENSATION WILL BE ALLOWED FOR EXTRA TIME AND EFFORT OR PROVISIONS NECESSARY TO WORK AROUND OR UNDER ANY UTILITIES.
  3. SAWCUT CONCRETE SIDEWALK AND CURB AND GUTTER AT NEAREST JOINT.
  4. SAWCUT BITUMINOUS FULL DEPTH AT REMOVAL LIMITS. PROVIDE STABLE AND VERTICAL SURFACE FOR THE PROPOSED PAVEMENT INTERFACE.
  5. CAREFULLY REMOVE, HANDLE AND STOCKPILE ANY EXISTING AGGREGATE BASE MATERIAL, FOR POSSIBLE RE-USE DURING PAVING OPERATIONS. ALL SALVAGED AGGREGATE MATERIAL SHALL BE APPROVED IN THE FIELD BY THE OWNERS GEOTECHNICAL ENGINEER PRIOR TO RE-USE.
  6. MAINTAIN ACCESS TO EXISTING HOMES DURING CONSTRUCTION. PROVIDE TEMPORARY SIGNAGE AND BARRICADES AS NECESSARY.
  7. PROVIDE CONSTRUCTION BARRIER OR ORANGE FENCING ALONG PAVEMENT SAWCUTS, TO ALERT VEHICLES AND PEDESTRIANS OF THE WORK ZONE.
  8. PROVIDE AIR QUALITY CONTROL MEASURES AT THE REQUEST OF THE ENGINEER OR CITY REPRESENTATIVES. TAKE NECESSARY MEASURES TO KEEP DUST LEVEL TO A MINIMUM. PROVIDE SWEEPING OF ADJACENT PAVING AS NEEDED, OR AS DIRECTED BY THE CITY.
  9. USE APPROVED INLET PROTECTION AT ALL ACTIVE STORM SEWER INLETS.
  10. OBTAIN ALL NECESSARY PERMITS FOR DEMOLITION OF EXISTING SITE FEATURES.
  11. REMOVE OR RELOCATE ALL EXISTING SITE FEATURES THAT INTERFERE WITH THE PROPOSED CONSTRUCTION.
  12. REMOVE DEMOLITION DEBRIS WITHIN 24 HOURS. BROKERAGE OF SALVAGED MATERIAL IS NOT PERMITTED ON SITE.
  13. PROTECT ALL EXISTING SITE FEATURES THAT ARE TO REMAIN IN PLACE DURING CONSTRUCTION. REPLACE ANYTHING DAMAGED WITH NEW CONSTRUCTION.
  14. DO NOT IMPEDE EXISTING TRAFFIC CIRCULATION TO ADJACENT BUSINESSES OR STREETS.
  15. SUFFICIENT TOPSOIL SHALL BE STOCKPILED TO ALLOW FOR THE REPLACEMENT OF TOPSOIL FOR DISTURBED AREAS TO RE-VEGETATED.
  16. ALL CONSTRUCTION AND POST CONSTRUCTION PARKING SHALL BE ON-SITE. AT NO TIME, SHALL PARKING, LOADING, OR UNLOADING BE ALLOWED ON PUBLIC STREETS.
  17. STORAGE OF MATERIALS AND EQUIPMENT SHALL NOT BE ALLOWED WITHIN THE PUBLIC RIGHT OF WAY OR ON PRIVATE STREETS.
  18. COORDINATE ALL REMOVALS WITHIN THE PUBLIC RIGHT OF WAY WITH THE CITY. PROVIDE 48 HOUR NOTICE.
  19. CONTRACTOR SHALL COORDINATE WITH UTILITY PROVIDERS TO ENSURE CONTINUED SERVICE.



NO.	DATE	DESCRIPTION
1	05/31/2023	PER CITY COMMENTS

**CAMPION ENGINEERING SERVICES, INC.**

Civil Engineering • Land Planning

PO BOX 41486  
PLYMOUTH, MN 55441  
PHONE: (763)486.3799  
EMAIL: MCAMPION@CAMPIONENG.COM

I hereby certify that this plan, specification or report has been prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the State of Minnesota.

Martin P. Campion - Lic. # 19901 Date:

**RIDGEWOOD PONDS**  
**RON CLARK CONSTRUCTION**  
 MINNETONKA, MN

**EXISTING CONDITIONS & REMOVAL PLAN**

SHEET NO. 2 OF 12 SHEETS

PROJECT NO: 22-023  
DATE: 04/06/2023



PROPERTY INFORMATION

OWNER	ADDRESS	PID
Lisa A Millhone	18116 Ridgewood Rd, Mtka, MN 55345	1911722420001
Lisa A Millhone	18116 Ridgewood Rd, Mtka, MN 55345	1911722430001
<b>PROPERTY AREA</b>		
PARCEL 1 (TOTAL)	4.24 AC	
PARCEL 2 (TOTAL)	19.76 AC	
TOTAL	24.00 AC	
<b>EXISTING ROAD EASEMENT</b>		
RIDGEWOOD ROAD	1.53 AC	
POWDERHORN DRIVE	0.46 AC	
TOTAL	1.99 AC	
NET AREA	22.01 AC	
<b>WETLAND AREA</b>		
WETLAND AREA	16.97 AC	
UPLAND AREA	5.04 AC	
NET DENSITY	2.58 UNITS/ACRE	
<b>ZONING</b>		
EXISTING ZONING	R-1	
PROPOSED ZONING	PUD	
<b>LOT DATA</b>		
<b>PROPOSED LOT DATA</b>		
LOT AREA (SF)		
MINIMUM	10,025 SF	
MAXIMUM	16,661 SF	
PROPOSED AV LOT AREA	10,989 SF	
<b>SETBACKS (FT)</b>		
FRONT	25	
FRONT - LOTS ON PRIVATE DRIVE	15	
SIDE - INTERIOR	7.5	
REAR	20	
WETLAND BUFFER	10	

PROPERTY DESCRIPTION

THE FOLLOWING DESCRIPTION WAS PROVIDED IN CHB TITLE LLC INSURANCE COMPANY COMMITMENT NO. 57293 WHICH HAS AN EFFECTIVE DATE OF OCTOBER 19, 2022 AT 7:00 A.M.

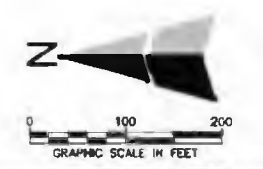
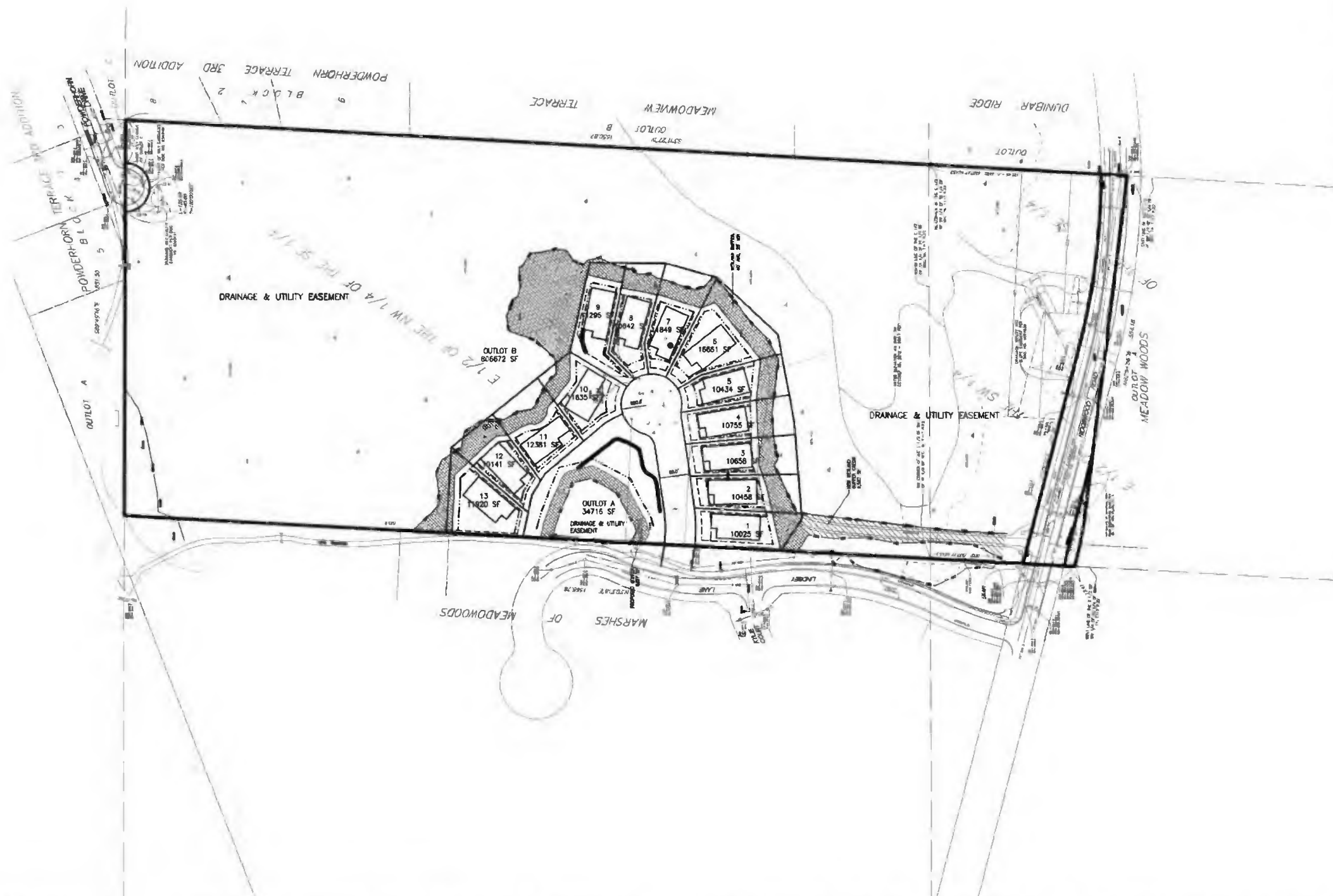
PARCEL 1:

ALL THAT PART OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 19, TOWNSHIP 117, RANGE 22, WHICH LIES NORTH OF THE CENTER LINE OF THE TOWN ROAD, (RIDGEWOOD ROAD) AS NOW LAID OUT AND TRAVELED, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 19, TOWNSHIP 117, RANGE 22; THENCE SOUTHERLY ALONG THE WEST LINE OF SAID EAST 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4, A DISTANCE OF 241.5 FEET, MORE OR LESS, TO THE CENTER LINE OF THE TOWN ROAD, (RIDGEWOOD ROAD); THENCE EASTERLY ALONG THE CENTERLINE OF SAID TOWN ROAD (RIDGEWOOD ROAD) TO THE EAST LINE OF SAID EAST 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4; THENCE NORTHERLY ALONG SAID EAST LINE OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4, A DISTANCE OF 325.45 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF SAID EAST 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4; THENCE WESTERLY ALONG THE NORTH LINE OF SAID EAST 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 TO THE POINT OF BEGINNING.

AND

PARCEL 2:

THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 19, TOWNSHIP 117, RANGE 22, HENNEPIN COUNTY, MINNESOTA.  
ABSTRACT PROPERTY



NO.	DATE	DESCRIPTION
1	05/31/2023	PER CITY COMMENTS

**CAMPION ENGINEERING SERVICES, INC.**

• Civil Engineering • Land Planning

PO BOX 41486  
PLYMOUTH, MN 55441  
PHONE: (763)486.3799  
EMAIL: MCAMPION@CAMPIONENG.COM

I hereby certify that this plan, specification or report has been prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the State of Minnesota.

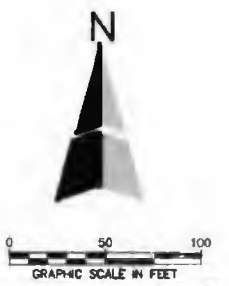
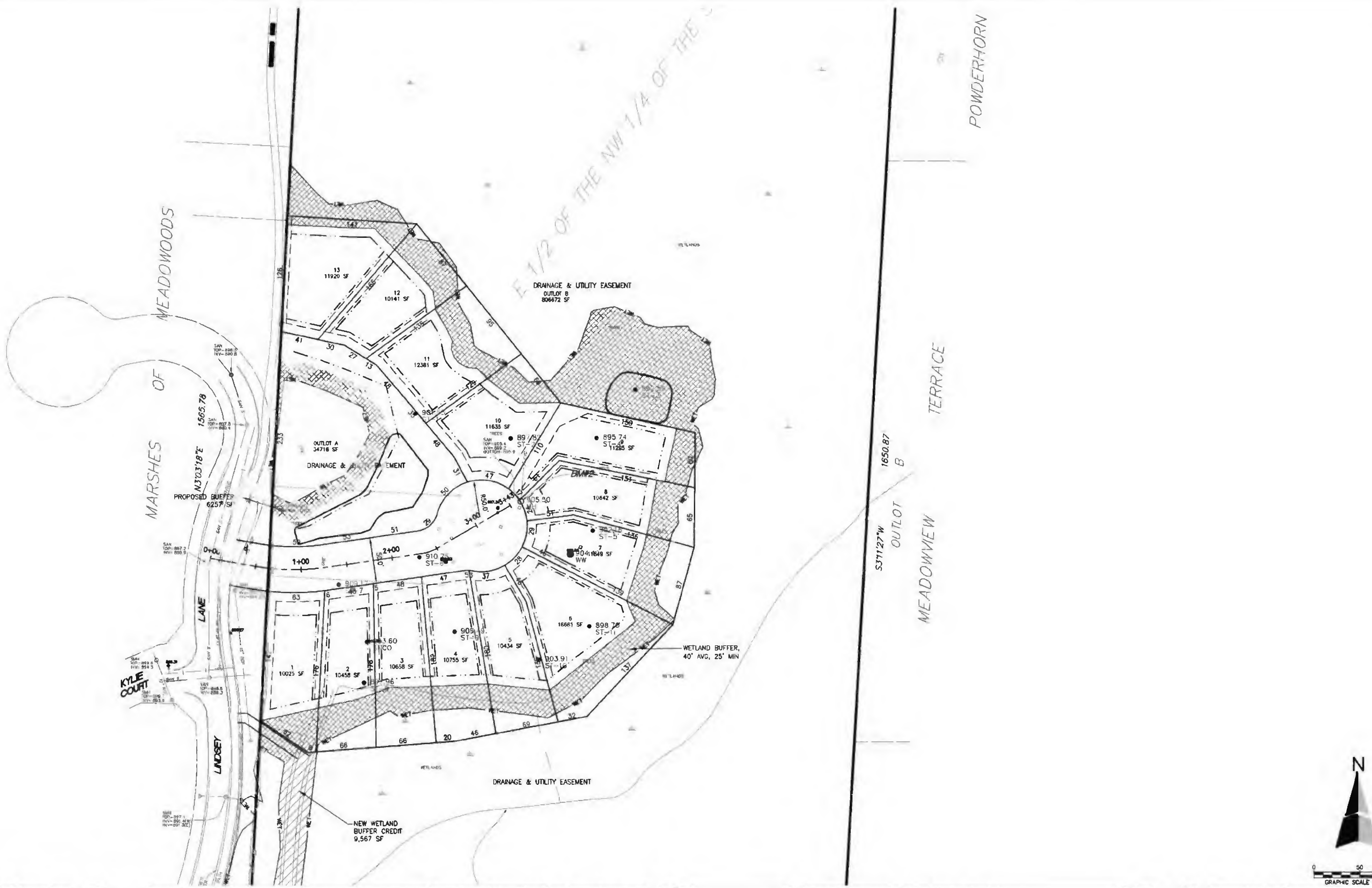
Martin P. Campion - Lic. # 19901 Date:

**RIDGEWOOD PONDS**  
RON CLARK CONSTRUCTION  
MINNETONKA, MN


PRELIMINARY PLAT OVERALL	PROJECT NO: 22-023
SHEET NO. 3 OF 12 SHEETS	DATE: 04/06/2023



Plot, Date & Time  
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 04/06/2023 10:00:00 AM



NO.	DATE	DESCRIPTION
1	05/31/2023	PER CITY COMMENTS


**CAMPION ENGINEERING SERVICES, INC.**  
 • Civil Engineering • Land Planning  
 PO BOX 41486  
 PLYMOUTH, MN 55441  
 PHONE: (763)486.3799  
 EMAIL: MCAMPION@CAMPIONENG.COM

I hereby certify that this plan, specification or report has been prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the State of Minnesota.  
 Martin P. Campion - Lic. # 19901 Date:

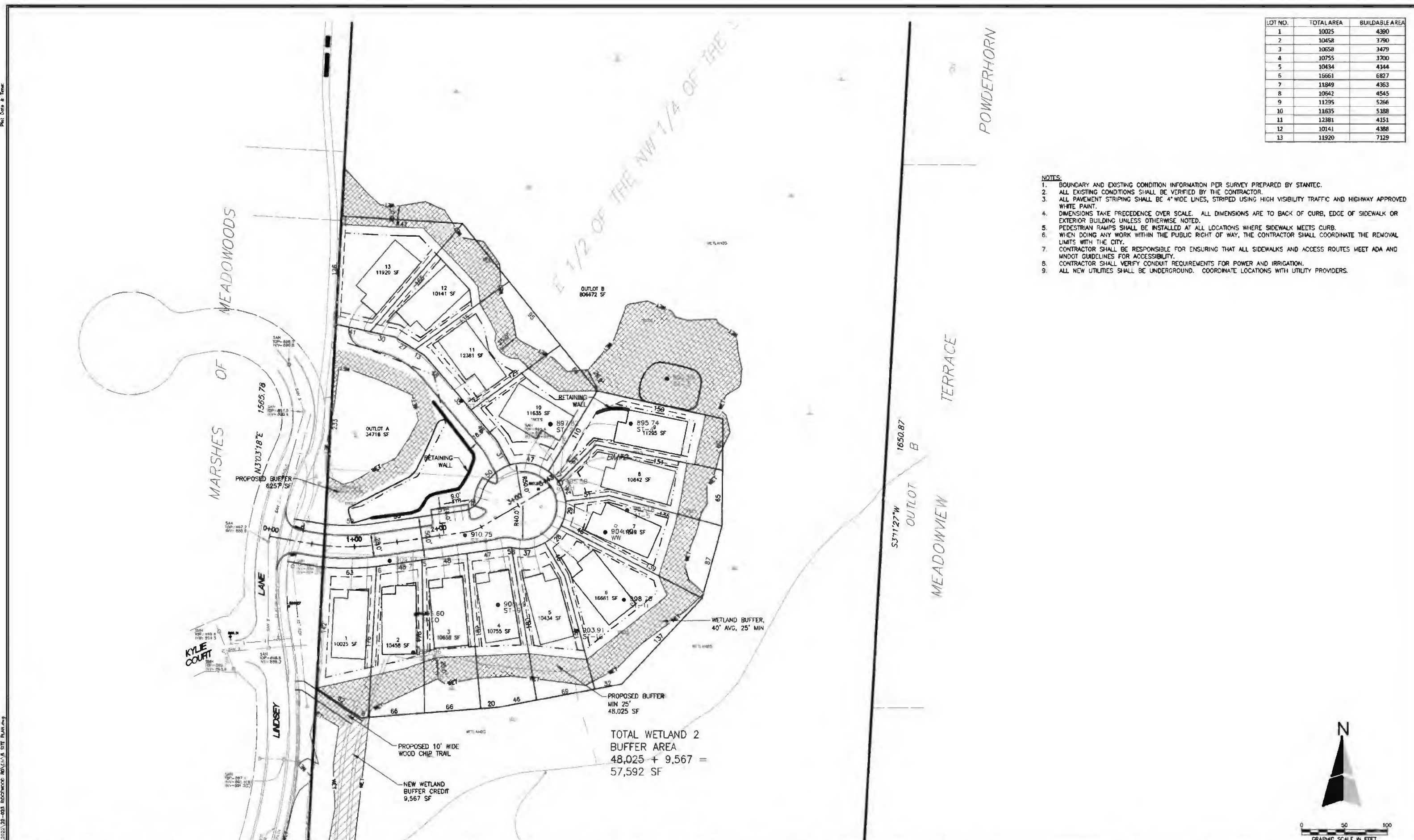
**RIDGWOOD PONDS**  
**RON CLARK CONSTRUCTION**  
**MINNETONKA, MN**

PRELIMINARY PLAT DETAIL	PROJECT NO: 22-023
SHEET NO. 4 OF 12 SHEETS	DATE: 04/06/2023



LOT NO.	TOTAL AREA	BUILDABLE AREA
1	10025	4390
2	10458	3790
3	10658	3479
4	10755	3700
5	10434	4144
6	15661	6827
7	11849	4363
8	10642	4545
9	11295	5266
10	11635	5188
11	12381	4151
12	10141	4388
13	11920	7129

- NOTES:**
- BOUNDARY AND EXISTING CONDITION INFORMATION PER SURVEY PREPARED BY STANTEC.
  - ALL EXISTING CONDITIONS SHALL BE VERIFIED BY THE CONTRACTOR.
  - ALL PAVEMENT STRIPING SHALL BE 4" WIDE LINES, STRIPED USING HIGH VISIBILITY TRAFFIC AND HIGHWAY APPROVED WHITE PAINT.
  - DIMENSIONS TAKE PRECEDENCE OVER SCALE. ALL DIMENSIONS ARE TO BACK OF CURB, EDGE OF SIDEWALK OR EXTERIOR BUILDING UNLESS OTHERWISE NOTED.
  - PEDESTRIAN RAMPS SHALL BE INSTALLED AT ALL LOCATIONS WHERE SIDEWALK MEETS CURB.
  - WHEN DOING ANY WORK WITHIN THE PUBLIC RIGHT OF WAY, THE CONTRACTOR SHALL COORDINATE THE REMOVAL LIMITS WITH THE CITY.
  - CONTRACTOR SHALL BE RESPONSIBLE FOR ENSURING THAT ALL SIDEWALKS AND ACCESS ROUTES MEET ADA AND MNDOT GUIDELINES FOR ACCESSIBILITY.
  - CONTRACTOR SHALL VERIFY CONDUIT REQUIREMENTS FOR POWER AND IRRIGATION.
  - ALL NEW UTILITIES SHALL BE UNDERGROUND. COORDINATE LOCATIONS WITH UTILITY PROVIDERS.



TOTAL WETLAND 2  
 BUFFER AREA  
 48,025 + 9,567 =  
 57,592 SF

NO.	DATE	DESCRIPTION
1	05/31/2023	PER CITY COMMENTS

**CAMPION ENGINEERING SERVICES, INC.**  
 Civil Engineering • Land Planning  
 PO BOX 41486  
 PLYMOUTH, MN 55441  
 PHONE: (763) 486.3799  
 EMAIL: MCAMPION@CAMPIONENG.COM

I hereby certify that this plan, specification or report has been prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the State of Minnesota.  
 Martin P. Campion - Lic. # 19901 Date:

**RIDGEWOOD PONDS**  
 RON CLARK CONSTRUCTION  
 MINNETONKA, MN

SITE PLAN	PROJECT NO: 22-023
SHEET NO. 5 OF 12 SHEETS	DATE: 04/06/2023





OUTLOT B  
806672 SF

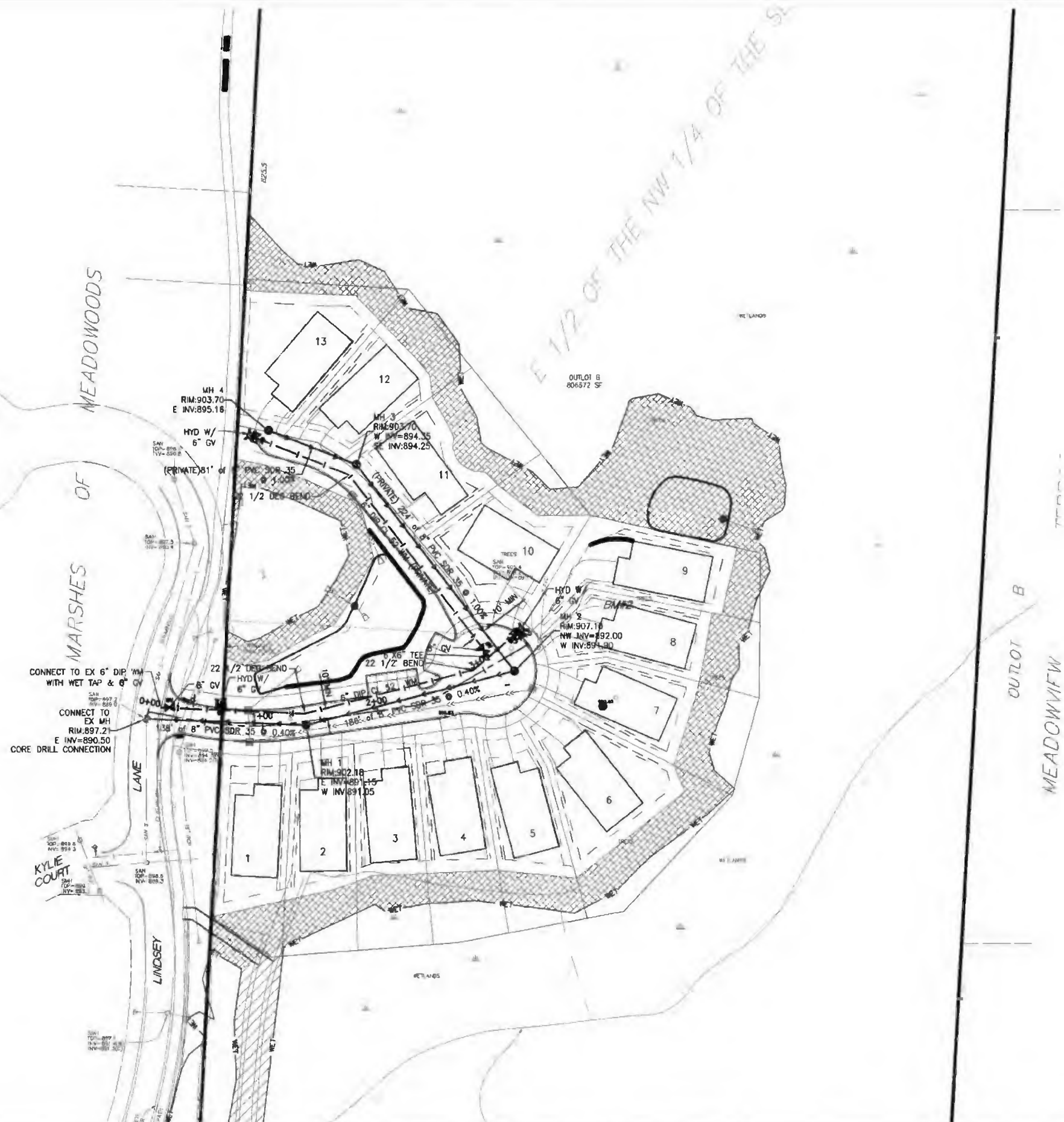
10025 SF

10658 SF

SITE PLAN  
SCALE: 1" = 50' 0"

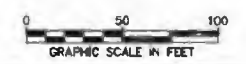
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**SANITARY SEWER AND WATERMAIN NOTES:**

1. ALL WATERMAIN SHALL BE 6" DIP WITH 8 MIL POLYETHYLENE WRAP (IF DEEMED NECESSARY).
2. ALL WATERMAIN SHALL HAVE 7.5' FEET MINIMUM COVER.
3. ALL HYDRANTS SHALL BE INSTALLED WITH 7.5' BURY.
4. WATERMAIN NUTS AND BOLTS SHALL BE COR-BLU.
5. 8" PVC SANITARY SEWER LESS THAN 16' DEEP SHALL BE SDR 35. 16' -28' DEEP SHALL BE SDR 26.
6. SANITARY SEWER SERVICES SHALL BE 6" PVC SDR 26.
7. WATER SERVICES SHALL BE 1 1/2" TYPE "K" COPPER.
8. CURB STOPS IN PAVED AREAS SHALL BE COVERED WITH METER BOX COVER (FORD A - 1 OR APPROVED EQUAL).
9. PROVIDE TEMPORARY TRAFFIC CONTROL IN COMPLIANCE WITH MNDOT TEMPORARY TRAFFIC CONTROL ZONE LAYOUTS -FIELD MANUAL- LATEST REVISION.
10. EXISTING UTILITY LOCATIONS AND ELEVATIONS SHALL BE VERIFIED IN FIELD PRIOR TO CONSTRUCTION.
11. SANITARY SEWER SERVICE SHALL BE EXTENDED 1' INTO PROPERTY.
12. CURB STOP FOR ALL SERVICES SHALL BE INSTALLED 1' INTO PROPERTY.
13. CONTRACTOR SHALL MARK END OF SANITARY SERVICE WITH STEEL "T" POST.
14. TRACER WIRES SHALL BE INSTALLED ALONG ALL SANITARY AND WATER SERVICE LINES.
15. CONTRACTOR SHALL JET AND VACUUM (IF REQUIRED BY CITY) AND TELEVIEW ALL SANITARY MAINS AFTER MANHOLES HAVE BEEN ADJUSTED TO BASE COURSE AND PRIOR TO ACCEPTANCE BY THE CITY. THE CITY ENGINEER SHALL BE PROVIDED WITH 2 COPIES OF THE TELEVIEWING DVD'S.
16. CURB BOXES SHALL BE MARKED WITH A STEEL FENCE POST.
17. THE LOCATION AND ELEVATION OF ALL EXISTING UTILITIES SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. THE ENGINEER SHALL BE NOTIFIED IMMEDIATELY OF ANY CONFLICTS.
18. THE CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES AND FACILITIES TO ALLOW PROPER FUNCTIONING DURING AND AFTER CONSTRUCTION. SUPPORTING STRUCTURES, IF REQUIRED, SHALL BE SUPPLIED BY THE CONTRACTOR AS WORK INCIDENTAL TO THE CONTRACT.
19. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER OF ANY CONFLICTS BETWEEN EXISTING UTILITIES AND THE PROPOSED CONSTRUCTION. THE ENGINEER WILL COORDINATE WITH UTILITY COMPANY IN QUESTION TO DETERMINE THE NEED FOR RELOCATION OF THE EXISTING UTILITY.
20. EXISTING CONDITIONS SUCH AS SAND IN MANHOLES OR VALVE BOXES SHALL BE IDENTIFIED BY THE CONTRACTOR AND THESE SHALL BE REPORTED TO THE ENGINEER PRIOR TO EXCAVATION BY THE CONTRACTOR. ONCE CONSTRUCTION HAS BEGUN, ALL DAMAGE TO UNDERGROUND UTILITIES WILL BE ASSUMED TO HAVE BEEN CAUSED BY THE CONTRACTOR, AND REPAIRS NECESSARY SHALL BE PERFORMED BY THE CONTRACTOR AT THE CONTRACTOR'S EXPENSE.
21. THE CONTRACTOR SHALL NOTIFY THE CITY ENGINEER AND THE PROJECT ENGINEER 48 HOURS PRIOR TO STARTING WORK OR AS REQUIRED BY THE CITY.
22. THE CONTRACTOR SHALL KEEP ACCESS ROADS CLEAR OF SOIL OR OTHER DEBRIS, AND PERFORM DAILY STREET CLEANING AS REQUIRED. POSITIVE DRAINAGE, CONTROLLED WITH EROSION CONTROL AND EROSION PREVENTION MEASURES AS REQUIRED SHALL BE PERFORMED.
23. THE OWNER SHALL PAY FOR ALL COMPACTION TESTING. ANY AREAS WHICH FAIL TO MEET THE ABOVE STANDARDS SHALL BE CORRECTED AND RE-TESTED BY THE OWNER'S TESTING AGENT AT THE CONTRACTOR'S EXPENSE.
24. CONNECTIONS AND DISCONNECTIONS AT THE CITY SANITARY SEWER AND WATERMAINS WILL REQUIRE A RIGHT-OF-WAY PERMIT. PRIVATE SANITARY SEWER AND WATERMAIN CONSTRUCTION ARE SUBJECT TO SEWER AND WATER PERMITS ISSUED BY THE COMMUNITY DEVELOPMENT DEPARTMENT.
- 25.



NO.	DATE	DESCRIPTION
1	05/31/2023	PER CITY COMMENTS

**CAMPION ENGINEERING SERVICES, INC.**

Civil Engineering • Land Planning

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Martin P. Campion - Lic. # 19901 Date:

**RIDGEWOOD PONDS**  
RON CLARK CONSTRUCTION  
MINNETONKA, MN

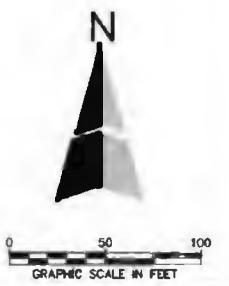
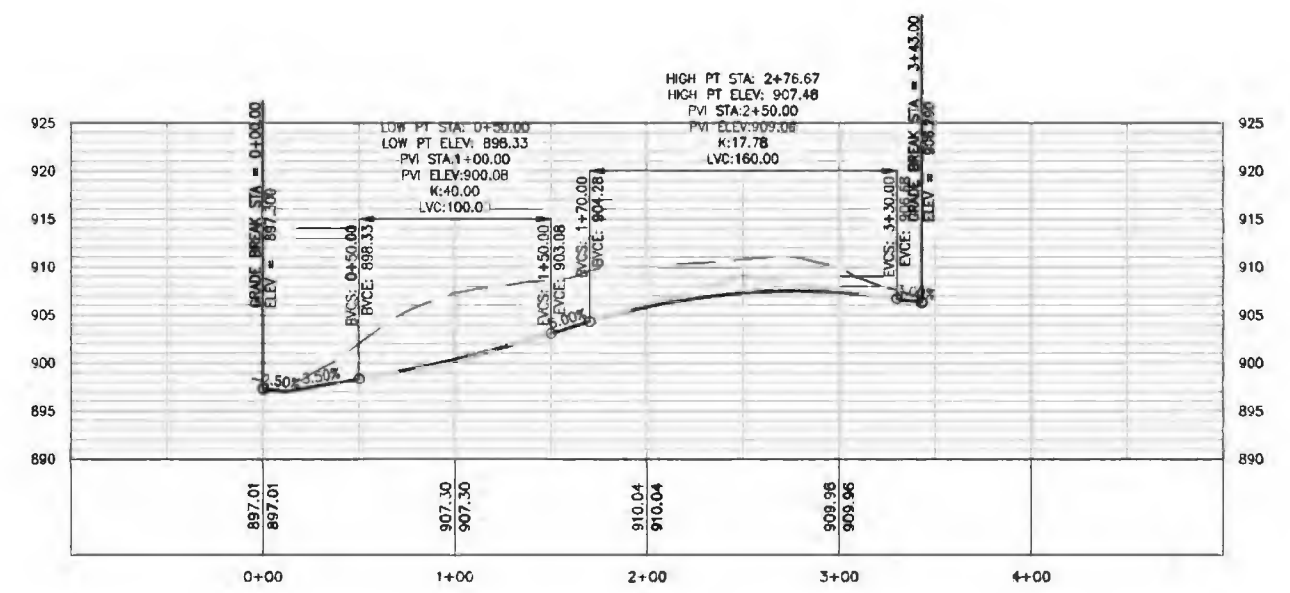
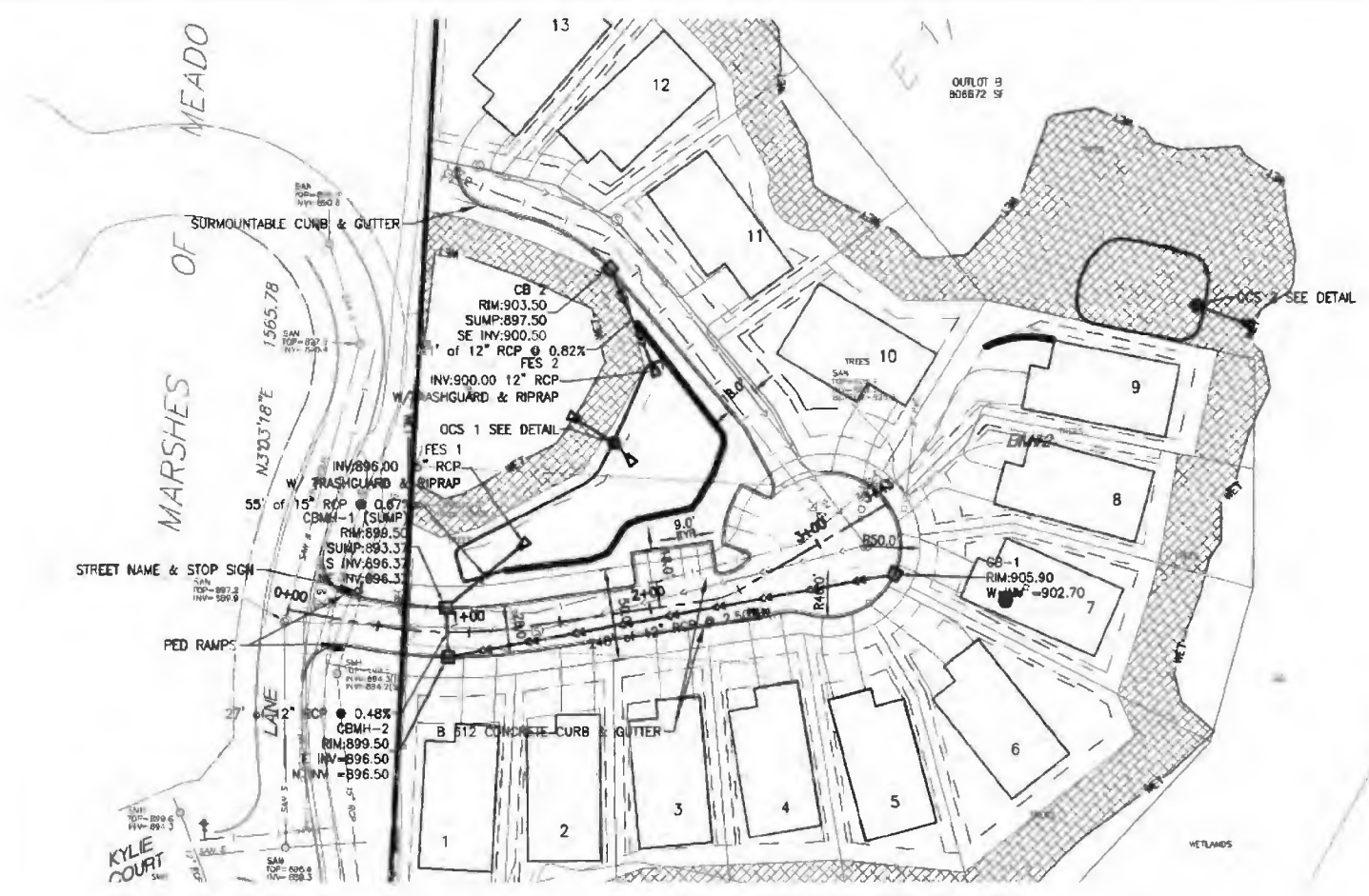
**PRELIMINARY SANITARY SEWER & WATERMAIN PLAN**

SHEET NO. 6 OF 12 SHEETS

PROJECT NO: 22-023  
DATE: 04/06/2023



- STORM SEWER NOTES:**
1. ALL STORM SEWER SHALL BE RCP CLASS 3 UNLESS OTHERWISE NOTED.
  2. INSTALL SILT FENCE AT BACK OF CURB IMMEDIATELY AFTER BACKFILLING.
  3. ALL CATCH BASIN CASTINGS IN CURB SHALL BE SUMPED 0.15'. ALL MANHOLE CASTINGS IN PAVED AREAS SHALL BE SUMPED 0.05'. RIM ELEVATIONS SHOWN ON PLAN REPRESENT SUMPED ELEVATIONS.
  4. EXTENTS OF DRAINTILE SHALL BE VERIFIED IN THE FIELD BY THE CITY ENGINEER BASED UPON SITE CONDITIONS.
- STREET NOTES:**
1. CURB ON PUBLIC STREET SHALL BE B612.
  2. CURB ON PRIVATE DRIVE SHALL BE SURMOUNTABLE.



Plot Date & Time

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NO.	DATE	DESCRIPTION
1	05/31/2023	PER CITY COMMENTS

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Martin P. Campion - Lic. # 19901 Date:

**RIDGEWOOD PONDS**  
RON CLARK CONSTRUCTION  
MINNETONKA, MN

PRELIMINARY STREET & STORM SEWER PLAN

SHEET NO. 7 OF 12 SHEETS

PROJECT NO: 22-023  
DATE: 04/06/2023



CALL 48 HOURS BEFORE DIGGING:  
GOPHER STATE ONE CALL  
TWIN CITY AREA 651-454-0002  
MN. TOLL FREE 1-800-252-1166

**GENERAL NOTES**

- CONSTRUCTION SHALL COMPLY WITH ALL APPLICABLE GOVERNING CODES.
- THE CONTRACTOR SHALL TAKE ALL PRECAUTIONS NECESSARY TO AVOID PROPERTY DAMAGE TO ADJACENT PROPERTIES DURING THE CONSTRUCTION PHASES OF THIS PROJECT. THE CONTRACTOR WILL BE HELD SOLELY RESPONSIBLE FOR ANY DAMAGES TO THE ADJACENT PROPERTIES OCCURRING DURING THE CONSTRUCTION PHASES OF THIS PROJECT.
- THE CONTRACTOR MUST CONTACT ALL APPROPRIATE UTILITY COMPANIES AT LEAST 48 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF EXISTING UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS. THE LOCATIONS OF SMALL UTILITIES SHALL BE OBTAINED BY THE CONTRACTOR BY CALLING GOPHER STATE ONE CALL (1-800-252-1166).
- THE CONTRACTOR SHALL MARK THE LOCATIONS OF EXISTING GATE VALVES AND MANHOLES WITH STEEL FENCE POSTS PRIOR TO BEGINNING GRADING.
- SAFETY NOTICE TO CONTRACTORS: IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, THE CONTRACTOR WILL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS ON THE JOB SITE, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING PERFORMANCE OF THE WORK. THIS REQUIREMENT WILL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS. THE DUTY OF THE ENGINEER OR THE DEVELOPER TO CONDUCT CONSTRUCTION REVIEW OF THE CONTRACTOR'S PERFORMANCE IS NOT INTENDED TO INCLUDE REVIEW OF THE ADEQUACY OF THE CONTRACTOR'S SAFETY MEASURES IN, ON OR NEAR THE CONSTRUCTION SITE.
- 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. TRAFFIC CONTROL DEVICES SHALL CONFORM TO APPROPRIATE MINNESOTA DEPARTMENT OF TRANSPORTATION STANDARDS.
- THE CONTRACTOR SHALL RESTRICT ALL GRADING AND CONSTRUCTION ACTIVITIES TO AREAS DESIGNATED ON THE PLANS. ACTIVITIES PROHIBITED OUTSIDE THE CONSTRUCTION BOUNDARIES INCLUDE, BUT ARE NOT LIMITED TO: STOCKPILING SOILS AND OTHER MATERIAL, STORING EQUIPMENT OR OTHER MACHINERY, DRIVING VEHICLES, LEAKING OR SPILLING OF ANY "WASHOUT" OR OTHER TOXIC MATERIALS.
- ALL SOIL TESTING SHALL BE COMPLETED BY THE OWNER'S SOILS ENGINEER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING ALL REQUIRED SOIL TESTS AND INSPECTIONS WITH THE SOILS ENGINEER.
- PRIOR TO PLACEMENT OF ANY STRUCTURE OR PAVEMENT, A TEST ROLL WILL BE REQUIRED ON THE SUBGRADE. THE CONTRACTOR SHALL PROVIDE A LOADED TANDEM AXLE TRUCK WITH A GROSS WEIGHT OF 25 TONS. THE TEST ROLLING SHALL BE AT THE DIRECTION OF THE SOILS ENGINEER AND SHALL BE COMPLETED IN AREAS AS DIRECTED BY THE SOILS ENGINEER. THE SOILS ENGINEER SHALL DETERMINE WHICH SECTIONS ARE UNSTABLE. CORRECTION OF THE SUBGRADE SOILS SHALL BE COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF THE SOILS ENGINEER AND AS SPECIFIED.
- THE EXISTING TOPSOIL ON THIS SITE VARIES IN DEPTH. IT IS THE CONTRACTOR'S RESPONSIBILITY THAT ALL SURFACE VEGETATION AND ANY TOPSOIL OR OTHER LOOSE, SOFT OR OTHERWISE UNSUITABLE MATERIAL BE REMOVED FROM THE PARKING LOT, AND BUILDING PAD AREAS PRIOR TO PLACEMENT OF ANY EMBANKMENT IN ACCORDANCE WITH THE SOILS REPORT AND RECOMMENDATION OF THE SOILS ENGINEER.
- EMBANKMENT MATERIAL NOT PLACED IN THE PARKING LOT OR BUILDING PAD AREAS SHALL BE COMPACTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE QUALITY COMPACTON METHOD AS OUTLINED IN MN/DOT 2105.3F2 OR AS DIRECTED BY THE SOILS ENGINEER.
- EXCAVATION FOR THE PURPOSE OF REMOVING UNSTABLE OR UNSUITABLE SOILS SHALL BE COMPLETED AS REQUIRED BY THE SOILS ENGINEER. EMBANKMENT MATERIAL PLACED IN THE PARKING LOT SHALL BE COMPACTED IN ACCORDANCE WITH THE SPECIFIED DENSITY METHOD AS OUTLINED IN MN/DOT 2105.3F1. EMBANKMENT MATERIAL PLACED IN THE BUILDING PAD AREA SHALL BE COMPACTED IN ACCORDANCE WITH THE SOILS REPORT.
- TOLERANCES:
  - THE PARKING LOT SUBGRADE FINISHED SURFACE ELEVATION SHALL NOT VARY BY MORE THAN 0.05 FOOT ABOVE, OR 0.10 FOOT BELOW, THE PRESCRIBED ELEVATION OF ANY POINT WHERE MEASUREMENT IS MADE.
  - AREAS WHICH ARE TO RECEIVE TOPSOIL SHALL BE GRADED TO WITHIN 0.20 FOOT ABOVE OR BELOW THE REQUIRED ELEVATION, UNLESS DIRECTED BY THE ENGINEER.
  - TOPSOIL SHALL BE GRADED TO PLUS OR MINUS 1/8 INCH OF THE SPECIFIED THICKNESS.
- ALL DISTURBED UNSURFACED AREAS ARE TO IMMEDIATELY RECEIVE FOUR INCHES OF TOPSOIL, SEED AND MULCH AND BE WATERED UNTIL A HEALTHY STAND OF GRASS IS OBTAINED.
- SPOT ELEVATIONS SHOWN INDICATE FINISHED GRADE ELEVATION UNLESS OTHERWISE NOTED.
- PROPOSED CONTOURS ARE TO FINISHED SURFACE GRADE.

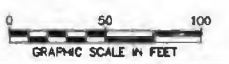
**CAUTION NOTES:**

THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE.

THE CONTRACTOR MUST CONTACT ALL THE APPROPRIATE UTILITY COMPANIES AT LEAST 48 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS. THE LOCATIONS OF SMALL UTILITIES SHALL BE OBTAINED BY THE CONTRACTOR BY CALLING GOPHER STATE ONE CALL AT 800-252-1166 OR 651-454-0002.

Plot Date & Time:

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NO.	DATE	DESCRIPTION
1	05/31/2023	PER CITY COMMENTS

**CAMPION ENGINEERING SERVICES, INC.**

• Civil Engineering • Land Planning

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Martin P. Campion - Lic. # 19901 Date:

**RIDGEWOOD PONDS**  
RON CLARK CONSTRUCTION  
MINNETONKA, MN

PRELIMINARY GRADING PLAN	PROJECT NO: 22-023
SHEET NO. 8 OF 12 SHEETS	DATE: 04/06/2023



**WARNING:**

THE CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING FOR LOCATIONS OF ALL EXISTING UTILITIES. THEY SHALL COOPERATE WITH ALL UTILITY COMPANIES IN MAINTAINING THEIR SERVICE AND/OR RELOCATION OF LINES.

THE CONTRACTOR SHALL CONTACT GOPHER STATE ONE CALL AT 651-454-8002 AT LEAST 48 HOURS IN ADVANCE FOR THE LOCATIONS OF ALL UNDERGROUND WIRES, CABLES, CONDUITS, PIPES, MANHOLES, VALVES OR OTHER BURIED STRUCTURES BEFORE DIGGING. THE CONTRACTOR SHALL REPAIR OR REPLACE THE ABOVE WHEN DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.

CALL BEFORE YOU DIG  
**GOPHER STATE ONE CALL**  
 TWIN CITY AREA: 651-454-0002  
 TOLL FREE 1-800-252-1166

Plot Date & Time



**EROSION/SILTATION CONTROL**

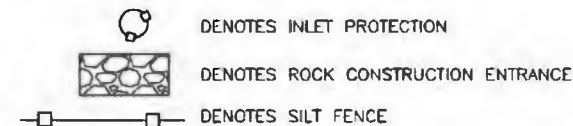
1. ALL EROSION CONTROL AND SILTATION CONTROL WILL COMPLY WITH MINNESOTA'S BEST MANAGEMENT PRACTICES MANUAL AND REGULATIONS OF THE CITY.
2. THE CONTRACTOR SHALL BE FAMILIAR WITH AND FOLLOW ALL REQUIREMENTS OF THE MPCA NPDES PHASE II PERMIT FOR CONSTRUCTION ACTIVITIES INCLUDING BUT NOT LIMITED TO: EROSION CONTROL INSPECTIONS EVERY 7 DAYS, INSPECTION AFTER 0.5" RAINFALL, OR MORE AND DOCUMENTATION OF ALL CORRECTIVE MEASURES. INSPECTIONS AFTER RAIN EVENTS SHALL BE CONDUCTED WITHIN 24 HOURS. BY BEGINNING CONSTRUCTION, THE CONTRACTOR ACKNOWLEDGES THE TERMS OF THIS PERMIT AND AGREES TO ABIDE BY THEM.
3. ALL NONFUNCTIONAL BMP'S SHALL BE REPAIRED, REPLACED, OR SUPPLEMENTED WITH FUNCTIONAL BMP'S BY THE END OF THE NEXT BUSINESS DAY OR WHEN FIELD CONDITIONS ALLOW.
4. PERIMETER CONTROL DEVICES SHALL BE REPAIRED, REPLACED, OR SUPPLEMENTED WHEN NONFUNCTIONAL OR SEDIMENT REACHES ONE-HALF THE HEIGHT OF THE DEVICE.
5. ANY DEPOSITING OF SILT OR MUD ON NEW OR EXISTING PAVEMENT SHALL BE REMOVED WITHIN ONE CALENDAR DAY OF DISCOVERY. REMOVAL FROM EXISTING PAVEMENTS SHALL BE ACCOMPLISHED BY SWEEPING.
6. THE CONTRACTOR SHALL ASSUME COMPLETE RESPONSIBILITY FOR CONTROLLING ALL SILTATION INCLUDING BUT NOT LIMITED TO ROCK ENTRANCES AND/OR SILT FENCES. CONTROL SHALL COMMENCE WITH GRADING AND CONTINUE THROUGHOUT THE PROJECT UNTIL ACCEPTANCE OF THE WORK BY THE OWNER. THE CONTRACTOR'S RESPONSIBILITY INCLUDES ALL DESIGN AND IMPLEMENTATION AS REQUIRED TO PREVENT EROSION AND THE DEPOSITING OF SILT. THE OWNER MAY, AT HIS/HER OPTION DIRECT THE CONTRACTOR IN HIS/HER METHODS AS DEEMED FIT TO PROTECT PROPERTY AND IMPROVEMENTS.
7. ALL SEDIMENT DEPOSITS AND DELTAS SHALL BE REMOVED FROM SURFACE WATERS (INCLUDING DRAINAGE WAYS, CATCH BASINS, AND OTHER DRAINAGE SYSTEMS) AND THE REMOVAL AREAS REESTABLISHED WITHIN 7 DAYS. ALL AT THE EXPENSE OF THE CONTRACTOR. THE SILT FENCES SHALL BE REMOVED AND THE SILT REMOVED FROM THE PONDING AREAS BY THE CONTRACTOR AFTER THE TURF IS ESTABLISHED.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLIANCE WITH AND THE MONITORING REQUIREMENTS OF THE MPCA PERMIT.
9. ALL DISTURBED AREAS, EXCEPT ROADWAYS, PARKING AREAS, BUILDING AREAS, AND SIDEWALKS, SHALL BE RESTORED WITH A MINIMUM 4 INCHES TOPSOIL, SEEDED AND MULCHED IN ACCORDANCE WITH THE LANDSCAPE PLAN.
10. CONSTRUCTION SHALL PROCEED IN THE FOLLOWING SEQUENCE:
  - a. CONTRACTOR SHALL SCHEDULE A PRE-CONSTRUCTION MEETING WITH THE CITY.
  - b. INSTALL EROSION CONTROL MEASURES AND ROCK CONSTRUCTION ENTRANCE.
  - c. CONTACT CITY FOR APPROVAL OF EROSION CONTROL INSTALLATION.
  - d. MAINTAIN EROSION MEASURE, I.E. SILT FENCE, ROCK CONSTRUCTION ENTRANCE.
  - e. COMPLETE SITE GRADING TOLERANCING.
11. INSTALL SEED AND MULCH ON AREAS THAT ARE NOT TO BE HARD SURFACES.
12. ALL STORM SEWER INLETS AND FLARED END SECTIONS SHALL BE ADEQUATELY PROTECTED BEFORE AND AFTER PAVEMENT CONSTRUCTION UNTIL ALL DISTURBED AREAS ARE STABILIZED. CONTRACTOR SHALL PLACE MRAFI FABRIC AND GRAVEL OVER ALL CATCH BASIN GRATE INLETS UNTIL PAVING SURFACES ARE PAVED AND THE LANDSCAPING IS COMPLETED.
13. STOCKPILE AREAS WHICH REMAIN ON THE SITE FOR MORE THAN SEVEN DAYS SHALL BE SEEDED, MULCHED, AND SURROUNDED BY SILT FENCE.
14. BIO LOGS SHALL BE INSTALLED AT PIPE INLETS AND OUTLETS UNTIL RIPRAP IS INSTALLED. PERMANENT ENERGY DISSIPATORS SHALL BE INSTALLED WITHIN 24 HOURS OF CONNECTION TO A SURFACE WATER.
15. EROSION AND SEDIMENT CONTROL PRACTICES MUST REMAIN IN PLACE UNTIL THE SITE SOILS HAVE BEEN PERMANENTLY STABILIZED AND SHALL BE REMOVED WITHIN 30 DAYS THEREAFTER.
16. ALL STOCKPILES OF SOIL OR OTHER MATERIALS SUBJECT TO EROSION BY WIND OR WATER SHALL BE COVERED, VEGETATED, ENCLOSED, FENCED OR THE DOWN GRADIENT SIDE OR OTHERWISE EFFECTIVELY PROTECTED FROM EROSION IN ACCORDANCE WITH THE AMOUNT OF TIME THE MATERIAL WILL BE ON SITE AND THE MANNER OF ITS PROPOSED USE.
17. LOCATION OF CONCRETE WASHOUT AND HAZARDOUS MATERIALS STORAGE SHALL BE DETERMINED PRIOR TO START OF CONSTRUCTION. THE SWPPP WILL BE UPDATED AND LOCATIONS ADDED AT THAT TIME.
18. TEMPORARY OR PERMANENT STABILIZATION SHALL BE INITIATED IMMEDIATELY TO LIMIT SOIL EROSION AND SHALL BE COMPLETED NOT LATER THAN SEVEN DAYS AFTER THE CONSTRUCTION ACTIVITY IN THAT PORTION OF THE SITE HAS TEMPORARILY OR PERMANENTLY CEASED. INITIATED IMMEDIATELY MEANS TAKING AN ACTION TO COMMENCE STABILIZATION AS SOON AS PRACTICABLE, BUT NO LATER THAN THE END OF THE WORK DAY. FOLLOWING THE DAY WHEN THE EARTH-DISTURBING ACTIVITIES HAVE TEMPORARILY OR PERMANENTLY CEASED, INITIATED STABILIZATION IS DEFINED AS COMPLETING ONE (OR MORE) OF THE FOLLOWING: SOIL PREPARATION FOR VEGETATION, MULCHING (OR OTHER NON-VEGETATIVE BMP), SEEDING/PLANTING, OR SCHEDULING STABILIZATION MEASURES TO BE FULLY INSTALLED AND COMPLETED WITHIN THE 7 DAY TIME FRAME.
19. THE CONTRACTOR SHALL PROVIDE AND INSTALL A SWPPP MAILBOX (INCIDENTAL).
20. THE WETTED PERIMETER OF THE LAST 200 LINEAR FEET OF ALL SWALES MUST BE STABILIZED WITHIN 24 HOURS OF CONNECTING TO A PROPERTY LINE OR SURFACE WATER.
21. TEMPORARY OR PERMANENT DITCHES OR SWALES THAT ARE BEING USED AS A SEDIMENT CONTAINMENT SYSTEM DURING CONSTRUCTION MUST BE STABILIZED WITHIN 24 HOURS AFTER NO LONGER BEING USED AS A SEDIMENT CONTAINMENT SYSTEM.
22. MULCH, HYDROMULCH, TACKIFIER, POLYACRYLAMIDE, OR SIMILAR EROSION PREVENTION PRACTICES CANNOT BE USED WITHIN THE NORMAL WETTED PERIMETER OF DRAINAGE DITCHES OR SWALE SECTION WITH A CONTINUOUS SLOPE OF GREATER THAN 2%.
23. CONTRACTOR SHALL STRIP EXISTING TOPSOIL TO PRESERVE IN SUFFICIENT QUANTITY TO RESPREAD A MINIMUM OF 4" OVER LAWN AND LANDSCAPE AREAS.
24. CONTRACTOR SHALL TAKE CARE TO MINIMIZE COMPACTION IN LAWN AND LANDSCAPE AREAS. CONTRACTOR SHALL SCARIFY THE UPPER 12"-18" TO DECOMPACT AS NECESSARY.
25. DISCHARGES FROM BMP'S SHALL BE DIRECTED TO VEGETATED AREAS.
26. IF DEWATERING IS REQUIRED, CONTRACTOR SHALL PREPARE A PLAN TO PREVENT NUISANCE CONDITIONS AND EROSION.

**EROSION CONTROL BLANKET REQUIREMENTS**

1. TEMPORARY EROSION BLANKET SHALL BE BIODEGRADABLE DOULBE-NET STRAW (NORTH AMERICAN GREEN S150 OR APPROVED EQUAL) AND EROSION MATS SHALL HAVE A MINIMUM FUNCTIONAL LONGEVITY OF 10 MONTHS.
2. EROSION BLANKET PLACED ON SLOPES 3:1 OR GREATER SHALL BE ROLLED DOWN SLOPE AND WITH 4" MINIMUM LAP AND STAPLED AT 1' O.C.
3. CONSTRUCT A 6"x12" ANCHOR TRENCH 3' BEYOND CREST AND TOE OF SLOPE. STAPLE EROSION BLANKET IN TRENCH AT 1' O.C.
4. EOF'S SHALL BE STABILIZED WITH MNDOT TRM CATEGORY 1 TURF REINFORCEMENT MAT.

**EROSION CONTROL QUANTITIES:**

**SITE RESTORATION:**  
 SEED MIX 22-111 = X AC  
 SILT FENCE = 4875 LF  
 INLET PROTECTION = 4 EA  
 ROCK CONSTRUCTION ENTRANCE = 1 EA



**PROJECT DIRECTORY**

**OWNER:**  
 RON CLARK CONSTRUCTION  
 MIKE WALDO  
 7500 WEST 78TH ST.  
 EDINA, MN 55439  
 PHONE: 952.947.3037  
 EMAIL: MWALDO@RONCLARK.COM

**SWPPP DESIGNER:**  
 CAMPION ENGINEERING SERVICES, INC.  
 MARTY CAMPION  
 P.O. BOX 41486  
 PLYMOUTH, MN 55441  
 PHONE: 763.486.3799  
 EMAIL: MCAMPION@CAMPIONENG.COM

**SURVEYOR:**  
 STANTEC  
 GARY BJORKLUND  
 1 CARLSON PARKWAY N  
 PLYMOUTH, MN 55447

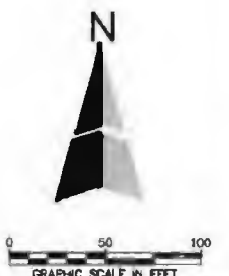
NO.	DATE	DESCRIPTION
1	05/31/2023	PER CITY COMMENTS

**CAMPION ENGINEERING SERVICES, INC.**  
 Civil Engineering • Land Planning  
 PO BOX 41486  
 PLYMOUTH, MN 55441  
 PHONE: 1763)486.3799  
 EMAIL: MCAMPION@CAMPIONENG.COM

I hereby certify that this plan, specification or report has been prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the State of Minnesota.  
 Martin P. Campion -Lic. # 19901 Date:

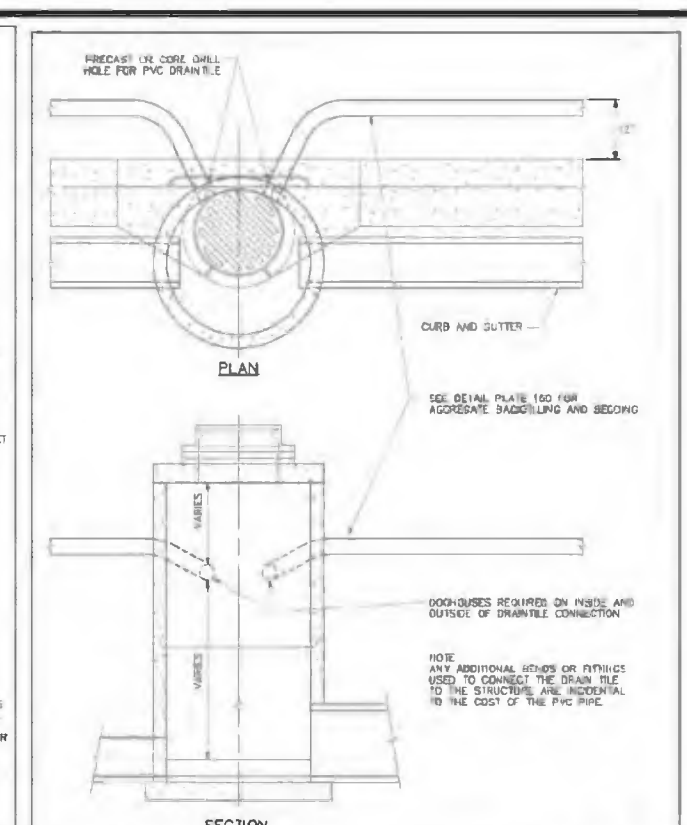
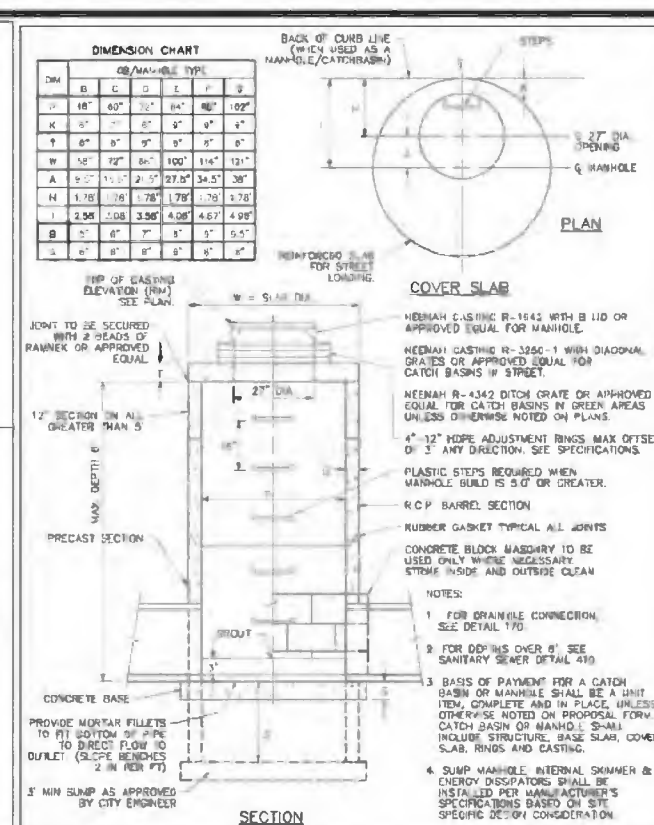
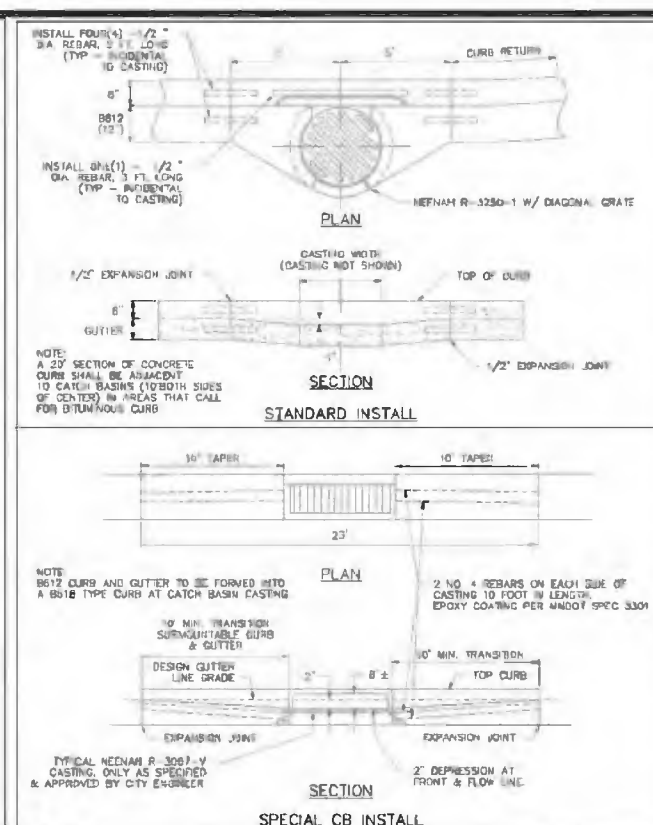
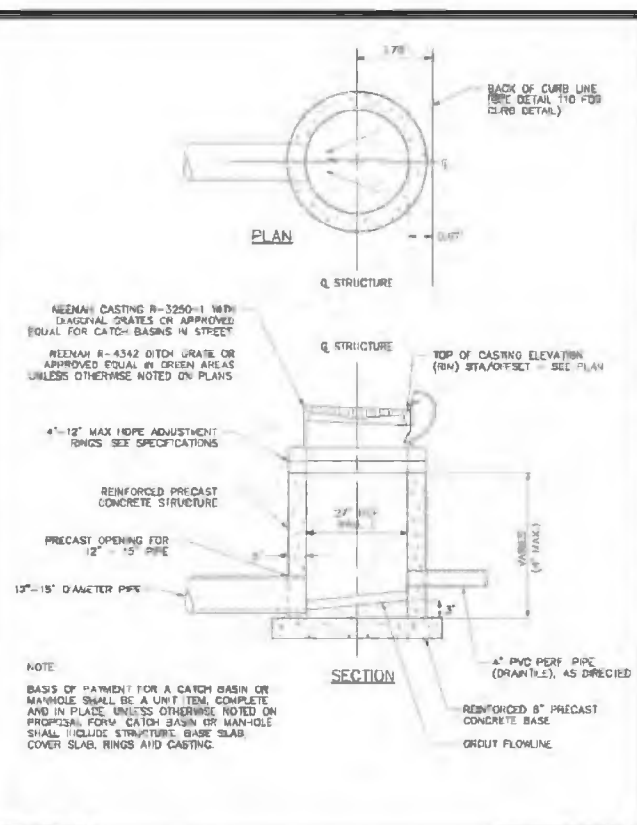
**RIDGEWOOD PONDS**  
 RON CLARK CONSTRUCTION  
 MINNETONKA, MN

**PRELIMINARY STORM WATER POLLUTION PREVENTION PLAN**  
 SHEET NO. 9 OF 12 SHEETS  
 PROJECT NO: 22-023  
 DATE: 04/06/2023





Plot Date & Time

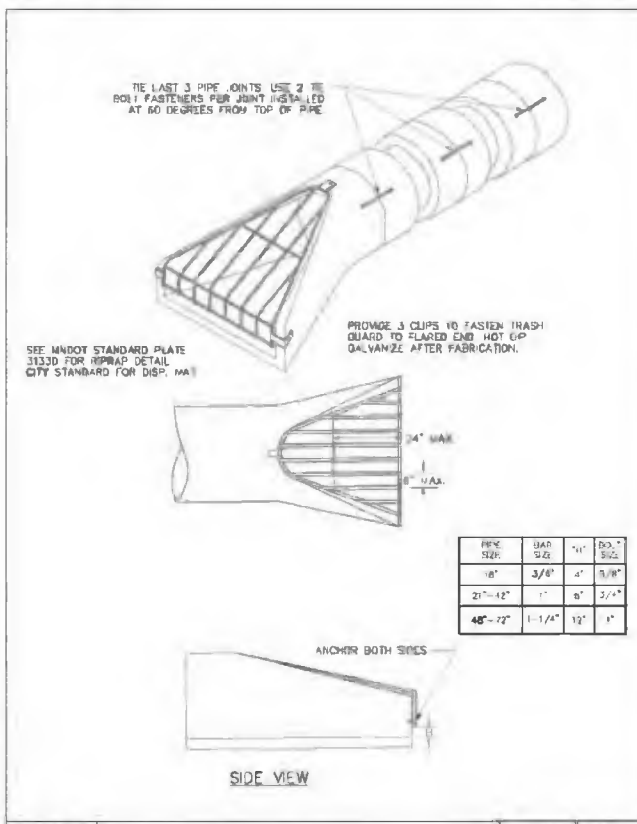


**M** CITY OF MINNETONKA

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**TABLE OF QUANTITIES RIPRAP AT RCP OUTLETS**

SPAN OF RCP (FT)	CURB 4" HIGH x 8" WIDE				CURB 6" HIGH x 12" WIDE			
	GEOTEXTILE FILTER (SQ YD)	18" RIBBLE RIPRAP (CU YD)	24" RIBBLE RIPRAP (CU YD)	30" RIBBLE RIPRAP (CU YD)	GEOTEXTILE FILTER (SQ YD)	18" RIBBLE RIPRAP (CU YD)	24" RIBBLE RIPRAP (CU YD)	30" RIBBLE RIPRAP (CU YD)
15	18.0	2.2	3.4	20.6	8.3	4.8	23.9	8.4
18	24.0	2.8	4.2	27.4	10.8	6.4	29.1	10.9
21	30.0	3.4	5.0	34.2	13.3	8.0	34.3	13.4
24	36.0	4.0	5.8	41.0	15.8	9.6	39.5	15.9
27	42.0	4.6	6.6	47.8	18.3	11.2	44.7	18.4
30	48.0	5.2	7.4	54.6	20.8	12.8	49.9	20.9
33	54.0	5.8	8.2	61.4	23.3	14.4	55.1	23.4
36	60.0	6.4	9.0	68.2	25.8	16.0	60.3	25.9
39	66.0	7.0	9.8	75.0	28.3	17.6	65.5	28.4
42	72.0	7.6	10.6	81.8	30.8	19.2	70.7	30.9
45	78.0	8.2	11.4	88.6	33.3	20.8	75.9	33.4
48	84.0	8.8	12.2	95.4	35.8	22.4	81.1	35.9

**TABLE OF QUANTITIES RIPRAP AT RCP-A OUTLETS**

SPAN OF RCP (FT)	CURB 4" HIGH x 4" WIDE				CURB 6" HIGH x 6" WIDE			
	GEOTEXTILE FILTER (SQ YD)	18" RIBBLE RIPRAP (CU YD)	24" RIBBLE RIPRAP (CU YD)	30" RIBBLE RIPRAP (CU YD)	GEOTEXTILE FILTER (SQ YD)	18" RIBBLE RIPRAP (CU YD)	24" RIBBLE RIPRAP (CU YD)	30" RIBBLE RIPRAP (CU YD)
15	18.0	0.8	1.2	1.6	8.3	4.8	6.4	8.0
18	24.0	1.1	1.6	2.1	10.8	6.4	8.6	10.9
21	30.0	1.4	2.1	2.8	13.3	8.0	10.7	13.4
24	36.0	1.7	2.6	3.5	15.8	9.6	12.9	15.9
27	42.0	2.0	3.1	4.2	18.3	11.2	15.1	18.4
30	48.0	2.3	3.6	4.9	20.8	12.8	17.3	20.9
33	54.0	2.6	4.1	5.6	23.3	14.4	19.5	23.4
36	60.0	2.9	4.6	6.3	25.8	16.0	21.7	25.9
39	66.0	3.2	5.1	7.0	28.3	17.6	23.9	28.4
42	72.0	3.5	5.6	7.7	30.8	19.2	26.1	30.9
45	78.0	3.8	6.1	8.4	33.3	20.8	28.3	33.4
48	84.0	4.1	6.6	9.1	35.8	22.4	30.5	35.9

**SECTION B-B**

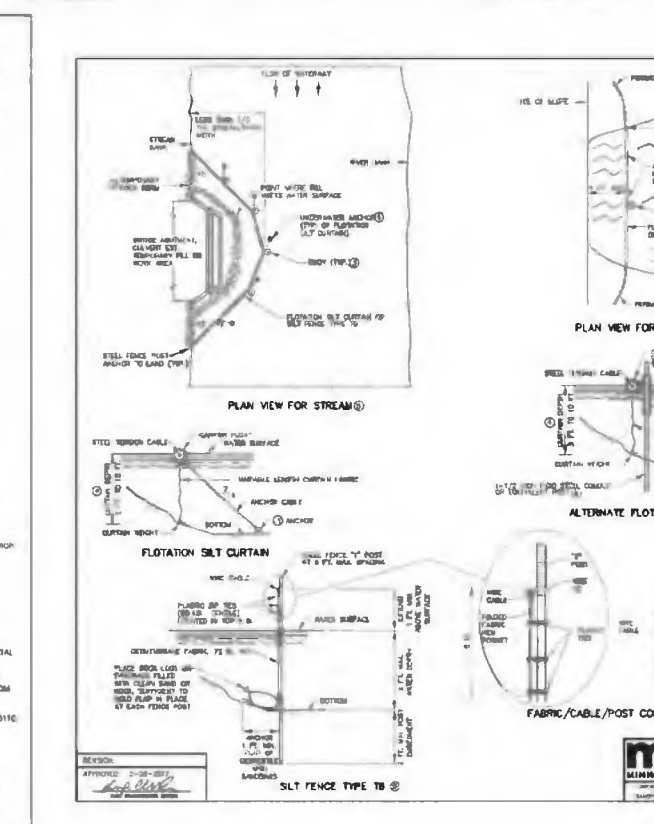
**SECTION A-A**

**NOTES:**

- REQUIREMENTS FOR GEOTEXTILE FILTER, RIPRAP SIZE AND THICKNESS WILL BE DETERMINED BY PLAN.
- PIPE SIZES LARGER THAN THOSE SHOWN REQUIRE A SPECIAL DESIGN.
- FOR PIPES GREATER THAN OR EQUAL TO 30", USE 1.5'.
- GEOTEXTILE FILTER, SPEC. 3333, SHALL COVER THE BOTTOM AND SIDES OF THE AREA EXCAVATED FOR THE RIPRAP CHANNEL AT FILTER HANDS.
- GEOTEXTILE FILTER IS GIVEN ON STANDARD PLANS 3100 AND 3110.
- GRANULAR FILTER, SPEC. 3301, MAY BE USED AS A GEOTEXTILE LAYER. PLACE FILTER PER SPEC. 3301. THE GEOTEXTILE LAYER IS INCIDENTAL.
- GEOTEXTILE FILTER OR RIPRAP, SPEC. 3301, TO EXTEND UNDER RIPRAP APRON SHALL MATCH RIPRAP DEPTH. WHEN RIPRAP BEHIND INCREASE RIPRAP QUANTITY ACCORDINGLY AND PLACE A 3" LAYER OF 1/2" CURBED ROCK UNDER THE RIPRAP TO AID IN GRADING FOR RIPRAP PLACEMENT. CRUSHED ROCK IS INCIDENTAL.

**FLARED END SECTION**

SCALE: NOT TO SCALE  
SHEET NO. 190  
APPROVED: 1/2008  
REVISED: 5/2018



**M** CITY OF MINNETONKA

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NO.	DATE	DESCRIPTION
1	05/31/2023	PER CITY COMMENTS

**CAMPION ENGINEERING SERVICES, INC.**

• Civil Engineering • Land Planning

PO BOX 41486  
PLYMOUTH, MN 55441  
PHONE: (763)486.3799  
EMAIL: MCAMPION@CAMPIONENG.COM

I hereby certify that this plan, specification or report has been prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the State of Minnesota.

Martin P. Campion - Lic. # 19904 Date:

**RIDGEWOOD PONDS**  
RON CLARK CONSTRUCTION  
MINNETONKA, MN

**DETAILS**

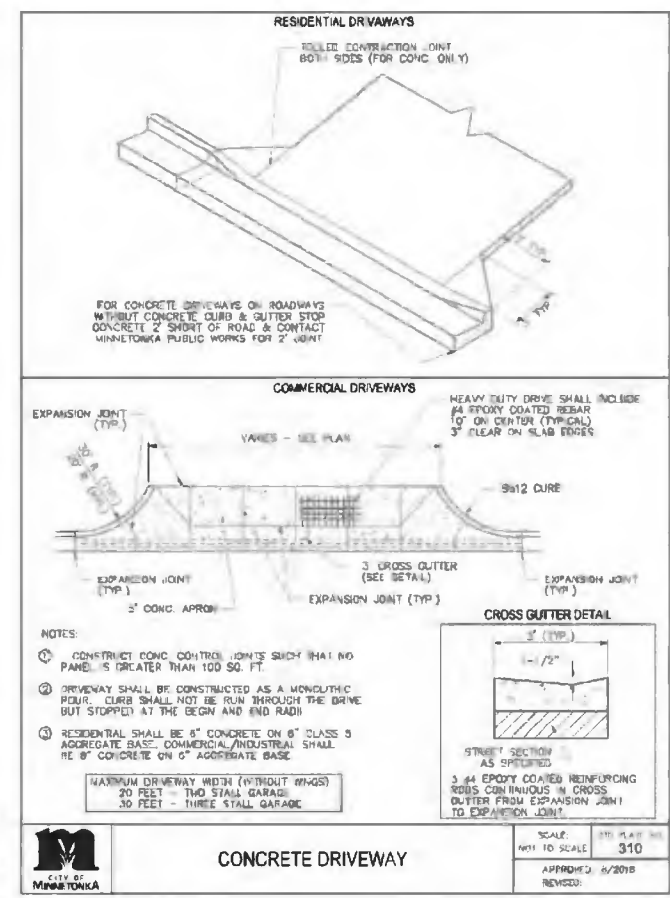
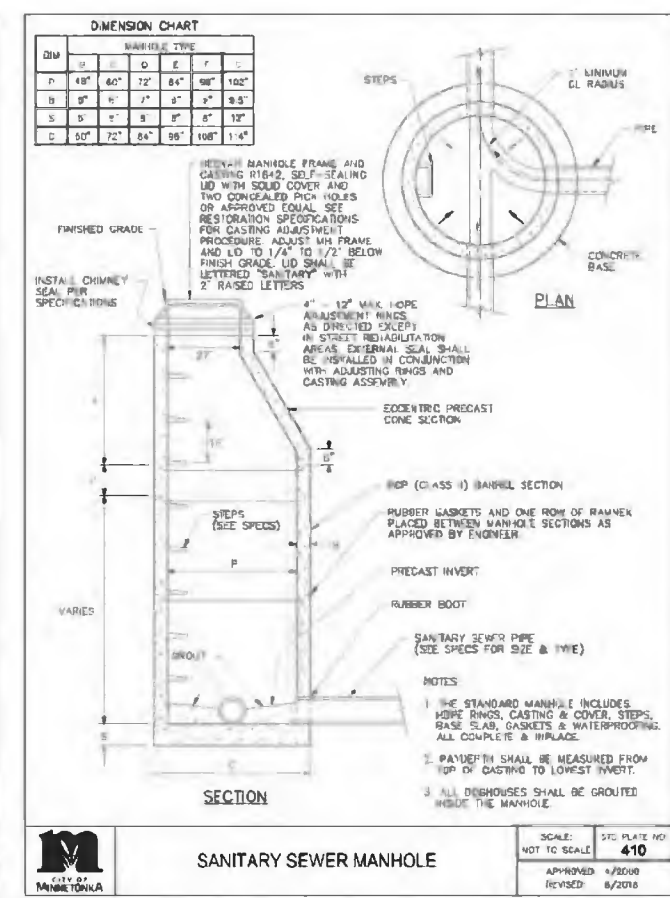
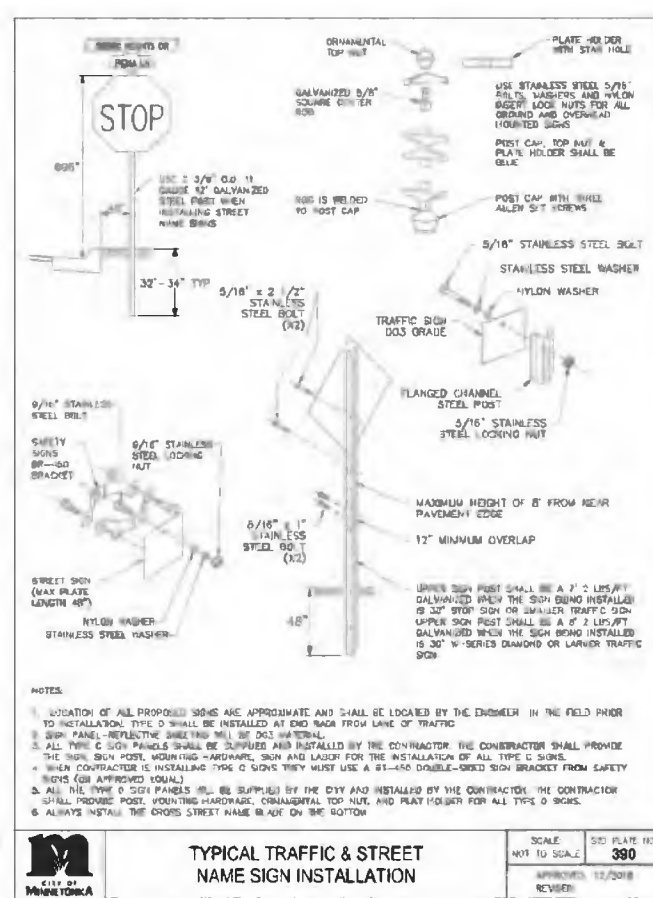
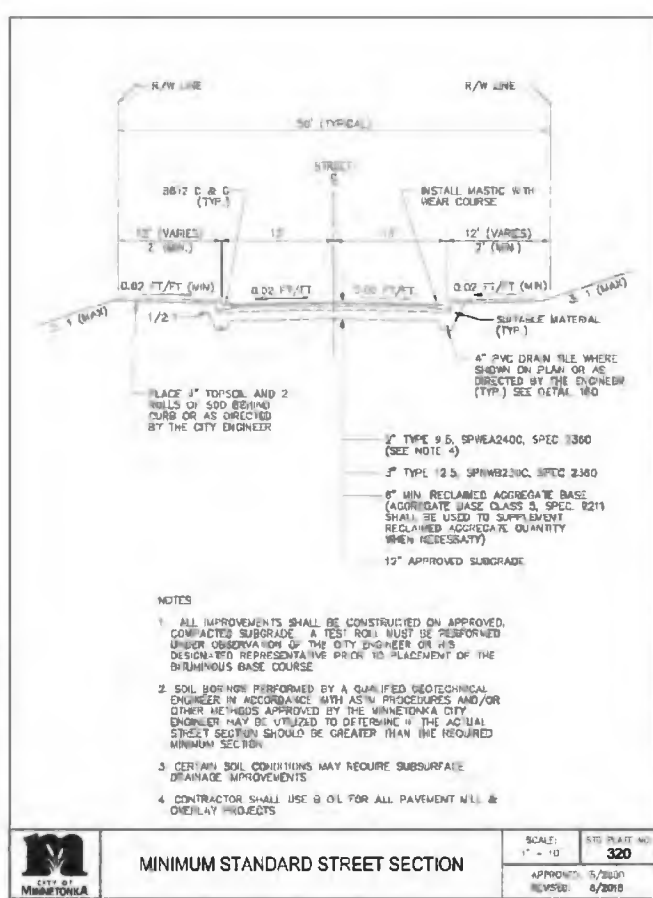
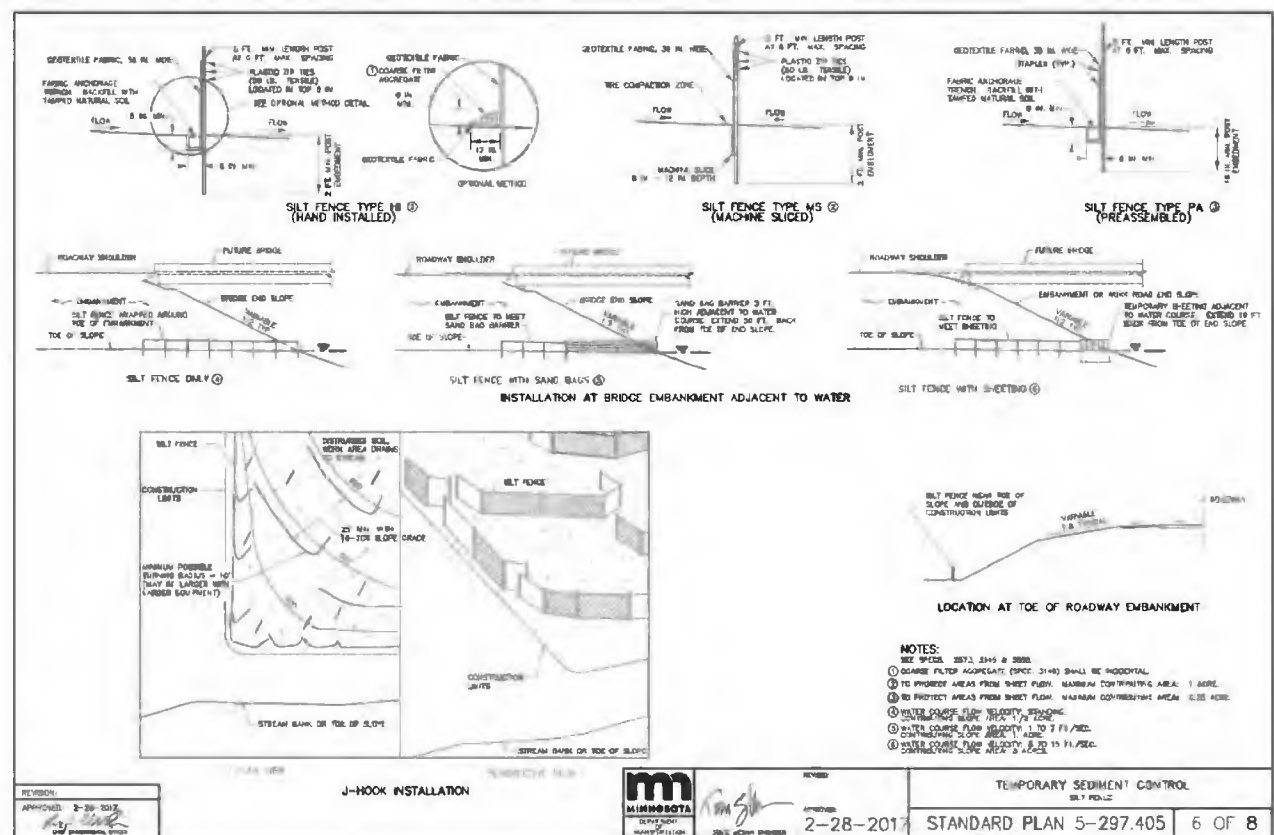
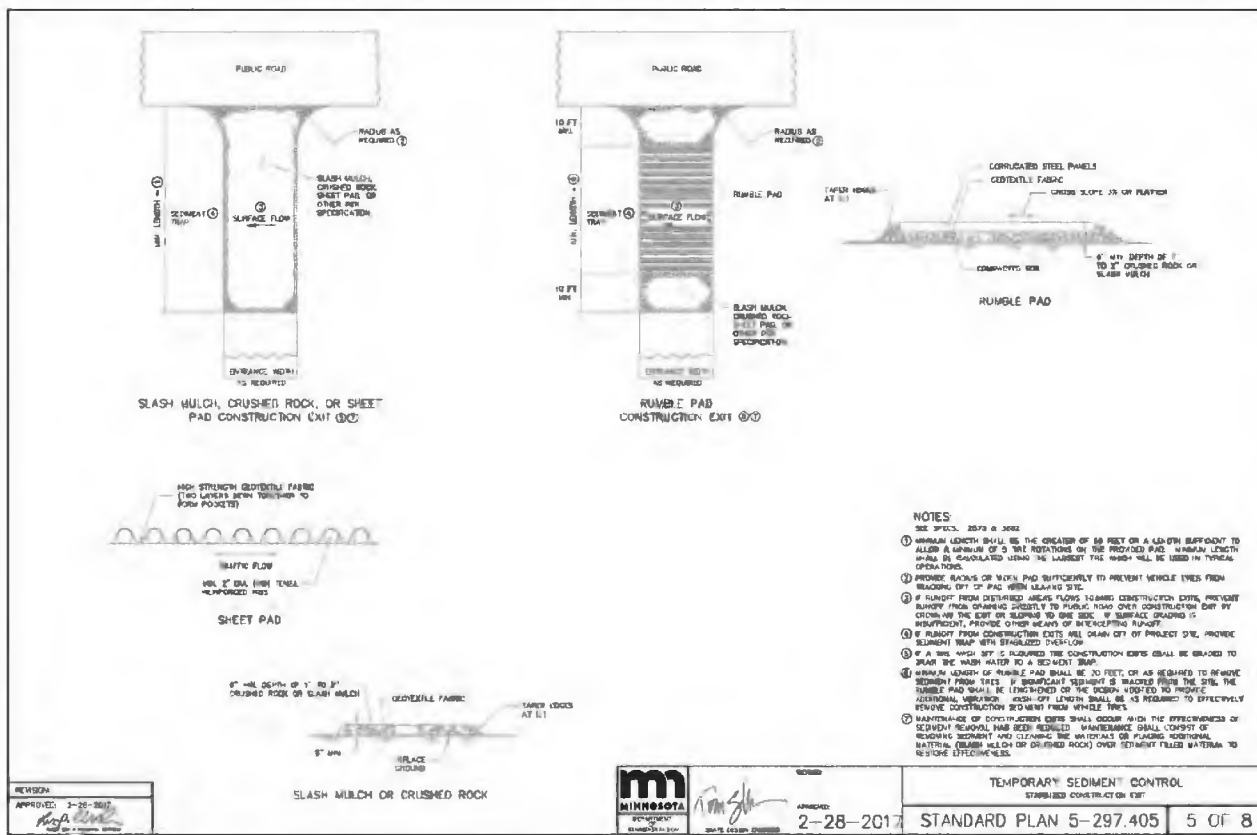
PROJECT NO: 22-023

SHEET NO. 10 OF 12 SHEETS

DATE: 04/06/2023



Plot Date & Time



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NO.	DATE	DESCRIPTION
1	05/31/2022	PER CITY COMMENTS
REVISIONS		

**CAMPION ENGINEERING SERVICES, INC.**

• Civil Engineering • Land Planning

PO BOX 41486  
PLYMOUTH, MN 55441  
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EMAIL: MCAMPION@CAMPIONENG.COM

I hereby certify that this plan, specification or report has been prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the State of Minnesota.

Martin P. Campion - Lic. # 19094 Date:

**RIDGEWOOD PONDS**

**RON CLARK CONSTRUCTION**

**MINNETONKA, MN**

**DETAILS**

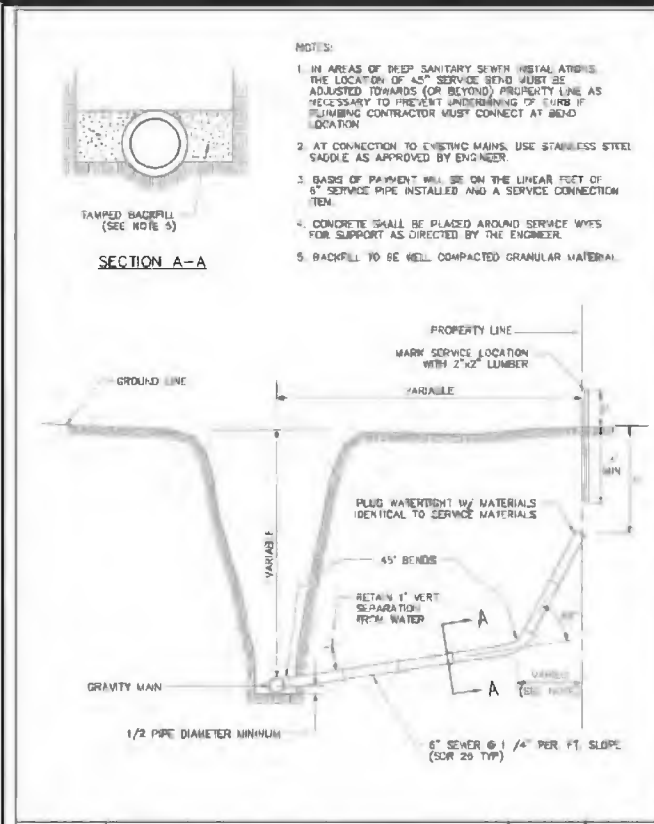
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**SHEET NO. 11 OF 12 SHEETS**

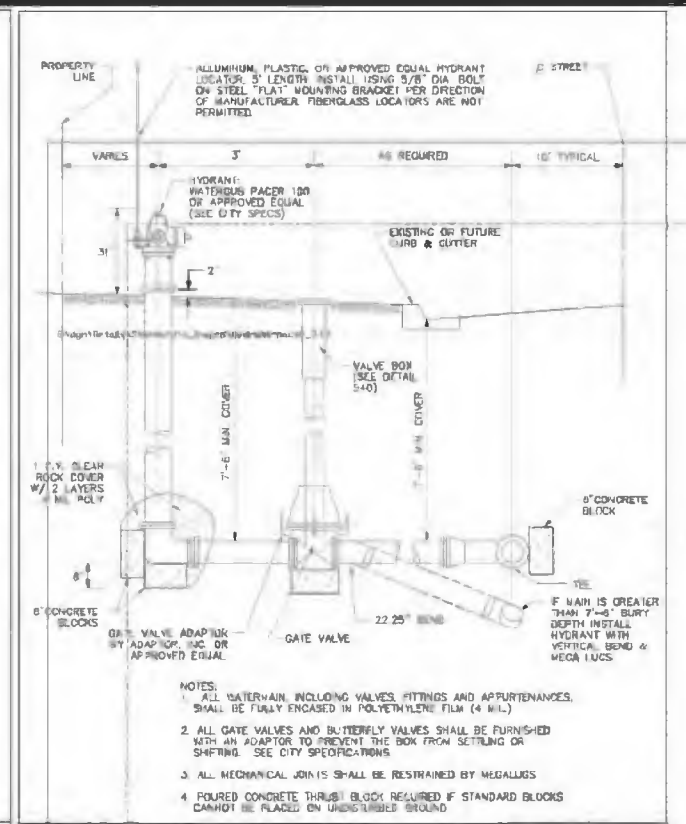
**DATE:** 04/06/2023



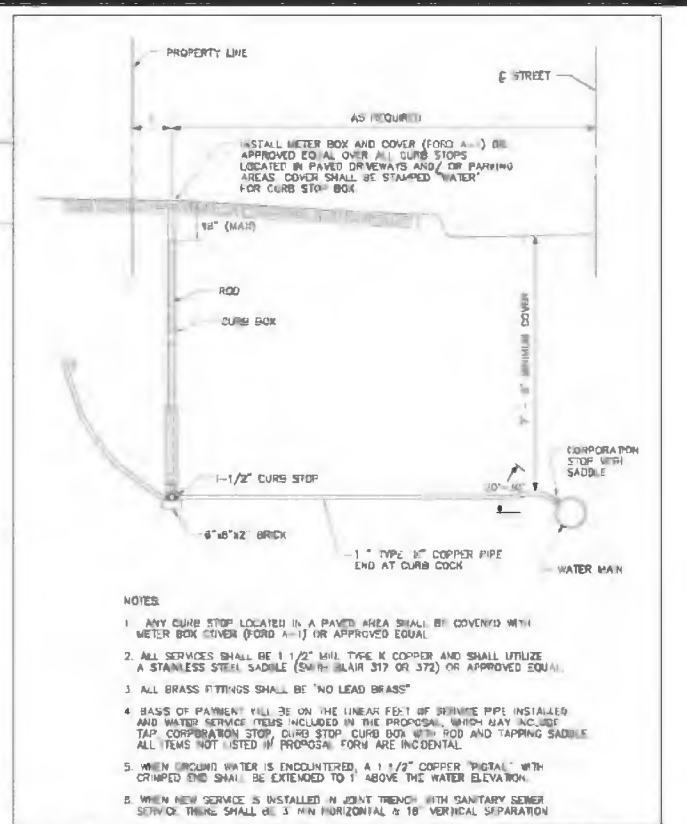
1  
 05/31/2023  
 PER CITY COMMENTS  
 NO. DATE DESCRIPTION REVISIONS  
 CAMPIO ENGINEERING SERVICES, INC.  
 Civil Engineering Land Planning  
 PO BOX 41486  
 PLYMOUTH, MN 55441  
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 EMAIL: MCAMPION@CAMPIOENG.COM  
 Martin P. Campion - Lic. # 19901 Date:



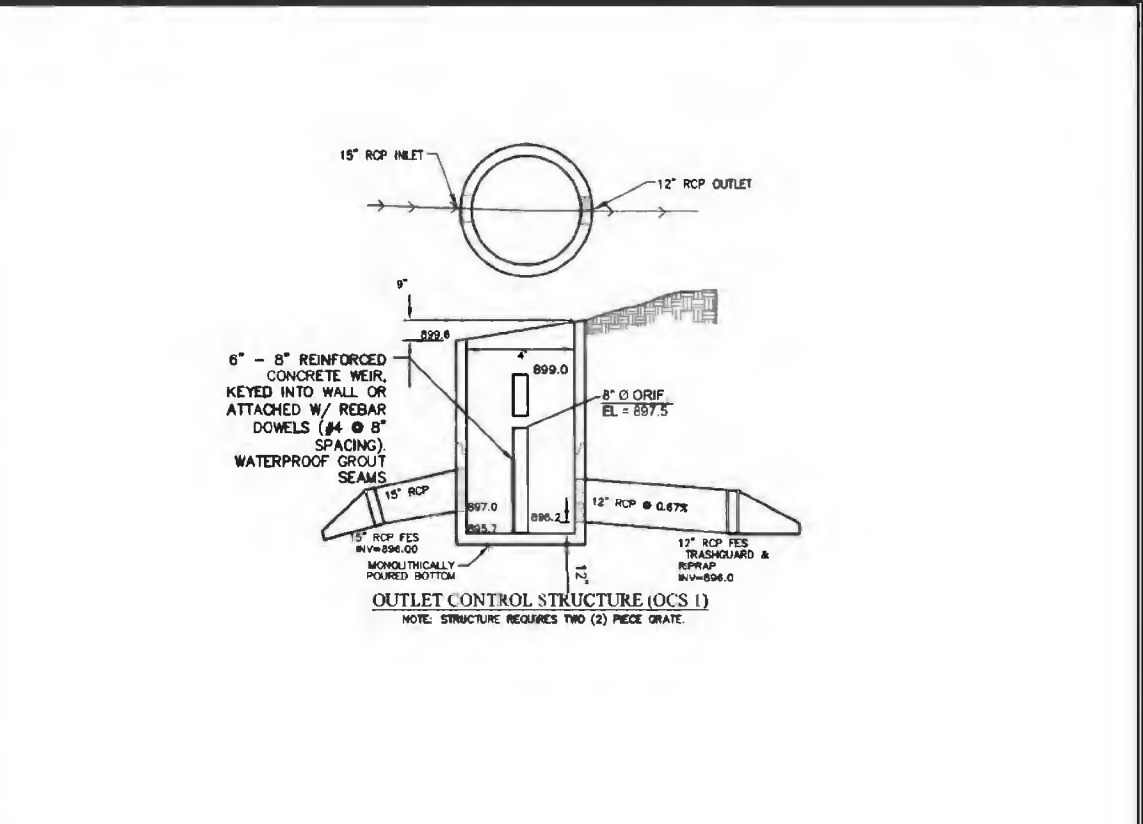
**M** CITY OF MINNETONKA  
**SANITARY SEWER SERVICE CONNECTION**  
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 STD. PLATE NO. 440  
 APPROVED: 8/2000  
 REVISED: 8/2018



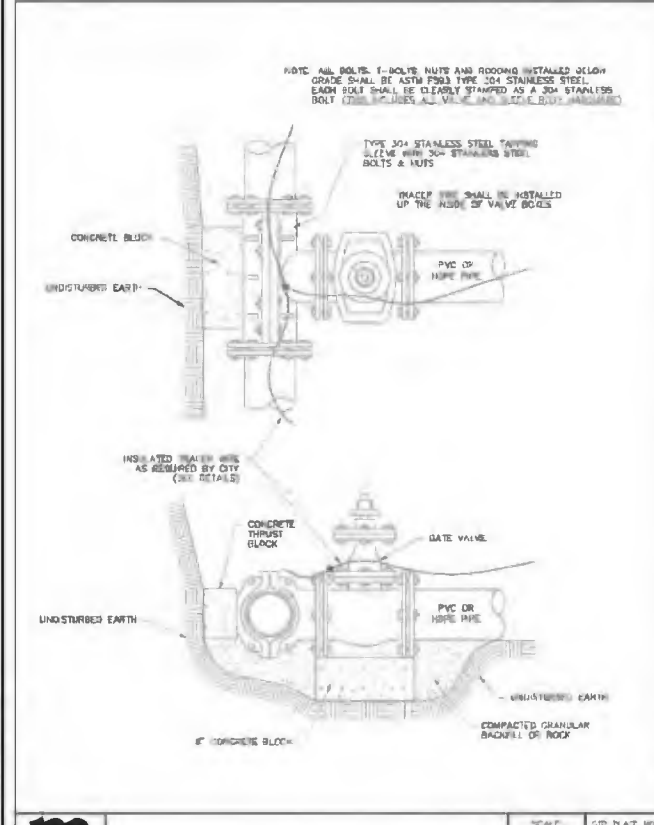
**M** CITY OF MINNETONKA  
**HYDRANT**  
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 APPROVED: 2/2000  
 REVISED: 4/2018



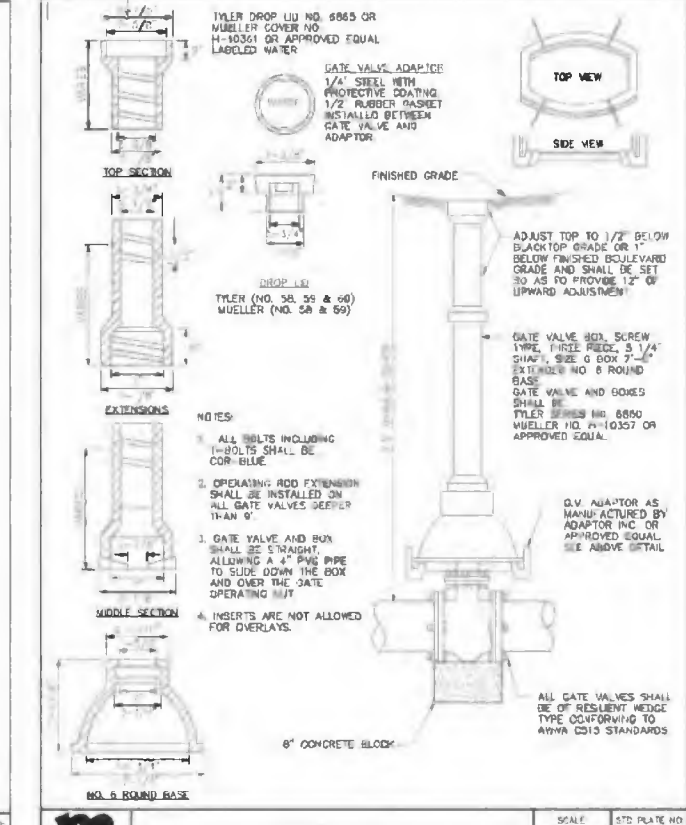
**M** CITY OF MINNETONKA  
**WATER SERVICE CONNECTION**  
 SCALE: NOT TO SCALE  
 STD. PLATE NO. 610  
 APPROVED: 5/2018  
 REVISED: 8/2018



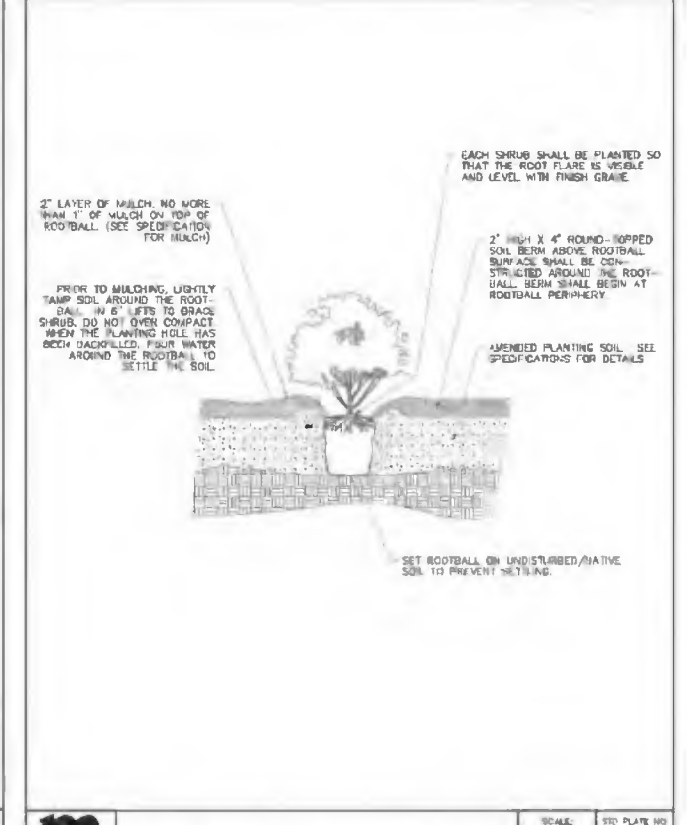
**M** CITY OF MINNETONKA  
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 SCALE: NOT TO SCALE  
 STD. PLATE NO. 610  
 APPROVED: 5/2018  
 REVISED: 8/2018



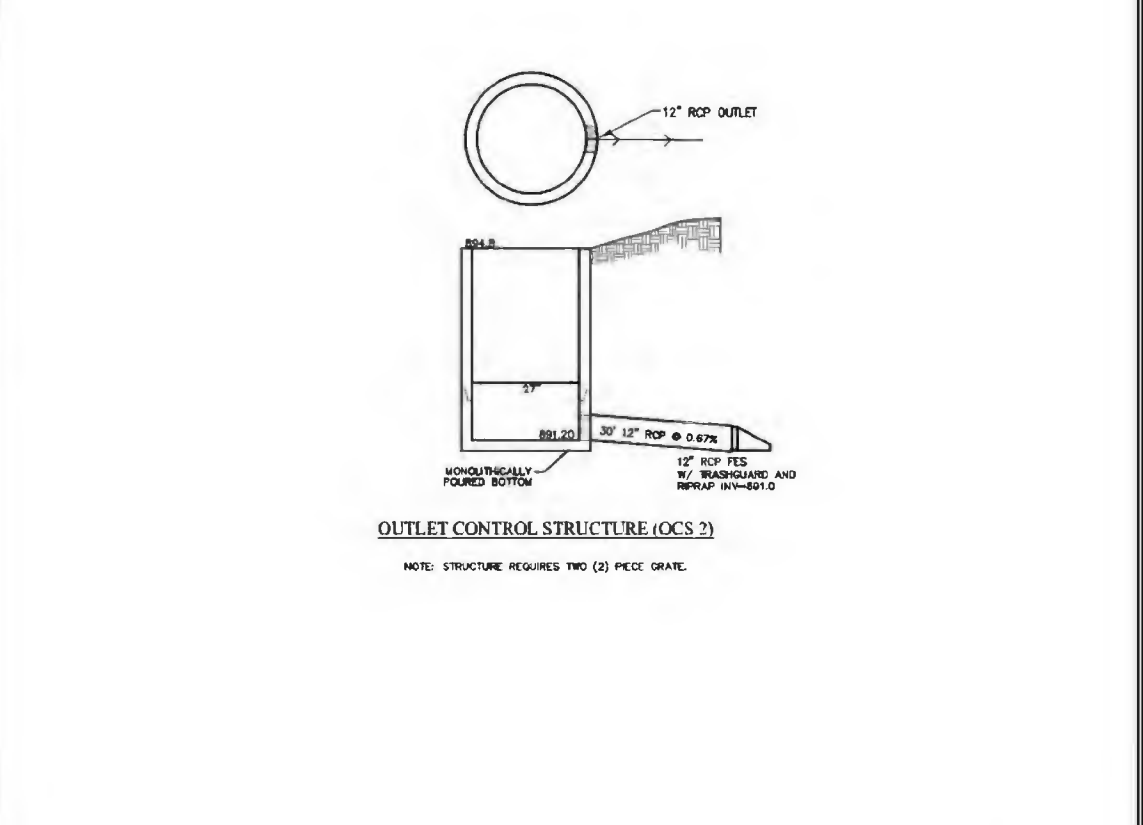
**M** CITY OF MINNETONKA  
**WATERMAIN WET TAP**  
 SCALE: NOT TO SCALE  
 STD. PLATE NO. 630  
 APPROVED: 12/2018  
 REVISED:



**M** CITY OF MINNETONKA  
**GATE VALVE**  
 SCALE: NOT TO SCALE  
 STD. PLATE NO. 640  
 APPROVED: 1/2008  
 REVISED: 8/2018



**M** CITY OF MINNETONKA  
**CONTAINER SHRUB PLANTING**  
 SCALE: NOT TO SCALE  
 STD. PLATE NO. 270.3  
 APPROVED: 8/2018  
 REVISED:



**M** CITY OF MINNETONKA  
**OUTLET CONTROL STRUCTURE (OCS 2)**  
 SCALE: NOT TO SCALE  
 STD. PLATE NO. 270.3  
 APPROVED: 8/2018  
 REVISED:

1	05/31/2023	PER CITY COMMENTS
NO.	DATE	DESCRIPTION
		REVISIONS

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Martin P. Campion - Lic. # 19901 Date:

**RIDGEWOOD PONDS**  
**RON CLARK CONSTRUCTION**  
 MINNETONKA, MN

DETAILS	PROJECT NO: 22-023
SHEET NO. 12 OF 12 SHEETS	DATE: 04/06/2023

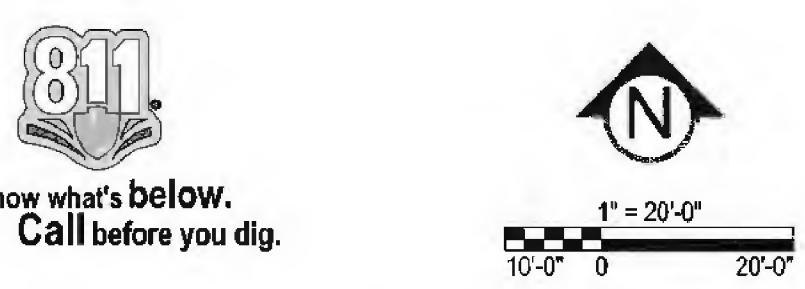
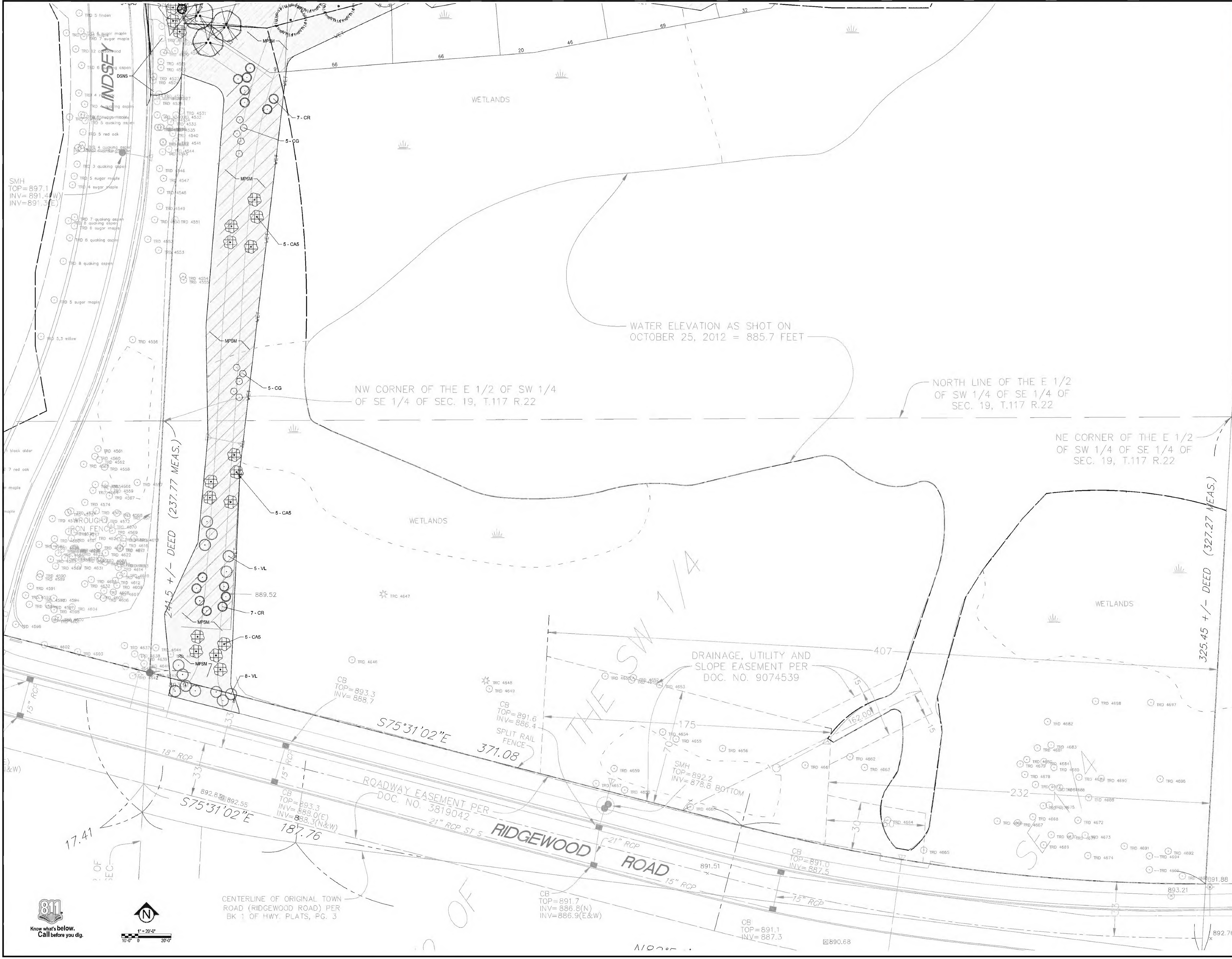






**PRELIMINARY:  
NOT FOR  
CONSTRUCTION**

**RIDGEWOOD PONDS**  
MINNETONKA, MN  
**RON CLARK CONSTRUCTION & DESIGN**  
7500 WEST 78TH ST., EDINA, MN 55439



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

Robert L. Binder  
DATE 4/8/23 LICENSE NO. 25921

ISSUE/SUBMITTAL SUMMARY

DATE	DESCRIPTION
4-8-2013	CITY SUBMITTAL

REVISION SUMMARY

DATE	DESCRIPTION

LANDSCAPE PLAN NOTES & DETAILS

**L1.1**



TREES	QTY	COMMON / BOTANICAL NAME	CONT	NATIVE PLANTS	POLLINATOR FRIENDLY
ACE SUG	9	Sugar Maple / <i>Acer saccharum</i>	2.5' Cal. B&B	NATIVE	Y
R8	5	River Birch / <i>Betula nigra</i>	2.5' Cal. B&B	NATIVE	N
SH	7	Skyline Thornless Honey Locust / <i>Gleditsia triacanthos inermis 'Skycole'</i> TM	2.5' Cal. B&B	NATIVE CULTIVAR	N
EK	6	Espresso Kentucky Coffeetree / <i>Gymnocladus dioica 'Espresso'</i>	2.5' Cal. B&B	NATIVE CULTIVAR	N
PN	14	Clump Form Quaking Aspen / <i>Populus tremuloides 'Clump Form'</i>	8' CLUMP	NATIVE CULTIVAR	N
OB	12	Swamp White Oak / <i>Quercus bicolor</i>	2.5' Cal. B&B	NATIVE	Y
BL2	3	Boulevard Linden / <i>Tilia americana 'Boulevard'</i>	2.5' Cal. B&B	NATIVE CULTIVAR	Y

EVERGREEN TREES	QTY	COMMON / BOTANICAL NAME	CONT	NATIVE PLANTS	POLLINATOR FRIENDLY
JE	8	Eastern Red Cedar / <i>Juniperus virginiana</i>	6' B&B	NATIVE	Y
PK2	9	Eastern Larch / <i>Larix laricina</i>	6' B&B	NATIVE	Y
FG	5	White Spruce / <i>Picea glauca</i>	6' B&B	NATIVE	Y
PS3	20	White Pine / <i>Pinus strobus</i>	6' B&B	NATIVE	Y
TT2	23	Techny Arborvitae / <i>Thuja occidentalis 'Techny'</i>	6' B&B	NOT NATIVE	Y

ORNAMENTAL TREES	QTY	COMMON / BOTANICAL NAME	SIZE	NATIVE PLANTS	POLLINATOR FRIENDLY
AG2	6	Autumn Brilliance Serviceberry / <i>Aamelanxier x grandiflora 'Autumn Brilliance'</i>	#20 CLUMP	NATIVE	Y
CE2	8	Eastern Redbud Multi-trunk / <i>Cercis canadensis</i>	#20 CLUMP	NOT NATIVE	Y

SHRUBS	QTY	COMMON / BOTANICAL NAME	SIZE	NATIVE PLANTS	POLLINATOR FRIENDLY
AA2	14	Autumn Magic Black Chokeberry / <i>Aronia melanocarpa 'Autumn Magic'</i>	#5 CONT	NATIVE	Y
CA3	3	New Jersey Tea / <i>Ceanothus americanus</i>	#3 CONT	NATIVE	Y
CG	10	Gray Dogwood / <i>Cornus racemosa</i>	5 GAL.		
CR	44	Red Twig Dogwood / <i>Cornus sericea</i>	#5 CONT		
CA5	26	American Hazelnut / <i>Corylus americana</i>	#5 CONT	NATIVE	Y
FC	1	Gold Tide Forsythia / <i>Forsythia x 'Courtyard'</i> TM	#2 CONT	NOT NATIVE	Y
HA	6	Annabelle Hydrangea / <i>Hydrangea arborescens 'Annabelle'</i>	#5 CONT	NOT NATIVE	Y
HL2	15	Little Quick Fire Hydrangea / <i>Hydrangea paniculata 'Little Quick Fire'</i>	#5 CONT	NOT NATIVE	Y
HJ2	14	Kalm St. Jonnwort / <i>Hypericum kalmianum</i>	#2 CONT	NATIVE	Y
PN3	9	Ninebark / <i>Physocarpus opulifolius</i>	#5 CONT		
LDN	10	Little Devil Ninebark / <i>Physocarpus opulifolius 'Donna May'</i> TM	#5 CONT	NATIVE CULTIVAR	Y
PD3	11	Diablo Purple Ninebark / <i>Physocarpus opulifolius 'Monko'</i> TM	#5 CONT	NATIVE CULTIVAR	Y
ST	10	Witchleaf Spirea / <i>Spiraea betulifolia 'Tor'</i>	#5 CONT	NOT NATIVE	Y
VD	14	Arrowwood Viburnum / <i>Viburnum dentatum 'Arrowwood'</i>	#5 CONT	NATIVE	Y
VL	13	Nannyberry / <i>Viburnum lentago</i>	#5 CONT	NATIVE	Y

GRASSES	QTY	COMMON / BOTANICAL NAME	SIZE	NATIVE PLANTS	POLLINATOR FRIENDLY
CK	21	Feather Reed Grass / <i>Casamagrostis x acutiflora 'Karl Foerster'</i>	#1 CONT	NOT NATIVE	N
SB	22	Blue Heaven Little Bluestem / <i>Schizachyrium scoparium 'Blue Heaven'</i>	#1 CONT	NATIVE CULTIVAR	Y

PERENNIALS	QTY	COMMON / BOTANICAL NAME	SIZE	NATIVE PLANTS	POLLINATOR FRIENDLY
AT2	30	Summer Beauty Globe Lily / <i>Allium tanguticum 'Summer Beauty'</i>	#1 CONT	NOT NATIVE	Y
EM	3	Magnus Purple Coneflower / <i>Echinacea purpurea 'Magnus'</i>	#1 CONT	NATIVE CULTIVAR	Y
HA3	22	Daylily / <i>Hemerocallis x 'Chicago Apache'</i>	#1 CONT	NOT NATIVE	Y
HR	5	Daylily / <i>Hemerocallis x 'Rosy Returns'</i>	#1 CONT	NOT NATIVE	Y
HG	5	Guscamole Plantain Lily / <i>Hosta x 'Guscamole'</i>	#1 CONT	NOT NATIVE	Y
IS	4	Siberian Iris / <i>Iris sibirica</i>	#1 CONT	NOT NATIVE	Y
NL2	18	Catmint / <i>Nepeta racemosa 'Little Titch'</i>	#1 CONT	NOT NATIVE	Y
PL	27	Little Spire Russian Sage / <i>Perovskia atriplicifolia 'Little Spire'</i>	#1 CONT	NOT NATIVE	Y
SA2	8	Showy Stonecrop / <i>Sedum spectabile 'Autumn Fire'</i>	#1 CONT	NOT NATIVE	Y
SMA	11	Matrona Sedum / <i>Sedum x 'Matrona'</i>	#1 CONT	NOT NATIVE	Y

GROUND COVERS	CODE	COMMON / BOTANICAL NAME	SIZE
	DSNS	DRY SHORT PRARIE MIX, SHOOTING STAR EQ. / DRY SHORT PRARIE MIX DRY SHORT NATIVE SEED MIX - SHOOTING STAR NATIVE SEED OR EQUIV., SEEDING RATE: 10 #/ACRE (64.4 SEEDS/SF)	Seed Mix
	LBNS	MN SEED MIX #34-282 WET PRARIE / LOWER BASIN SEED MIX MN SEED MIX #34-282 WET PRARIE, PER MNDOT SEEDING MANUAL SPECIFICATIONS (2014) SEEDING RATE: 14.5 LB/ACRE (128.4 SEEDS/SF)	Seed Mix
	MPSM	MESIC PRAIRIE SEED, MN MIX #5-641 / MESIC PRAIRIE - SE MESIC PRAIRIE SEED MIX, MN #5-641, MN SEED MIX #35641. INSTALL PER MNDOT SEEDING MANUAL SPECIFICATIONS (2014). SEEDING RATE: 12 LB/ACRE (38.8 SEEDS/SF). MULCH W/STRAW, EROSION CONTROL BLANKET, OR HYDROMULCH.	Seed Mix
	RM	1.5" SCREENED ROCK/STONE / ROCK MULCH 1.5" SCREENED DECORATIVE ROCK/STONE MULCH 3" DEEP OVER GEOTEXTILE FABRIC. PROVIDE SAMPLES. INSTALL WEDGING AS SHOWN ON LANDSCAPE PLAN.	Mulch
	BG	BLUE GRASS SOD / SOD BLUE GRASS SOD WITH IMPROVED VARIETIES, INSTALLED ON PREPARED SOIL, CONTAINING 6" OF TOPSOIL WITH MINIMUM 4% ORGANICS BY WEIGHT, SCARIFIED AND EVENLY GRADED. BIG ROLL PREFERRED FOR LARGER AREAS.	Sod
	WEDGE	WOODLAND EDGE MN SEED MIX #6-211 / WOODLAND EDGE SEED MIX WOODLAND EDGE SEED MIX, MN #6-211, MN SEED MIX #34-282. INSTALL PER MNDOT SEEDING MANUAL SPECIFICATIONS (2014). SEEDING RATE: 34.5 LB/ACRE (60.6 SEEDS/SF). MULCH W/STRAW, EROSION CONTROL BLANKET, OR HYDROMULCH.	Seed Mix

**LANDSCAPE NOTES:**

- ALL EXISTING UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTACT "Gopher State One Call" (855-454-0022 OR 800-252-1166) FOR UTILITY LOCATIONS, 48 HOURS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL REPAIR OR REPLACE ANY UTILITIES THAT ARE DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.
- SEE MULCH AND EDGING SCHEDULE FOR MULCH MATERIALS & LOCATIONS.
- PLANT MATERIALS SHALL CONFORM WITH THE AMERICAN ASSOCIATION OF NURSERYMEN STANDARDS AND SHALL BE OF HARDY STOCK, FREE FROM DISEASE, DAMAGE AND DISFIGURATION. CONTRACTOR IS RESPONSIBLE FOR MAINTAINING PLUMPNESS OF PLANT MATERIAL FOR DURATION OF ACCEPTANCE PERIOD.
- UPON DISCOVERY OF A DISCREPANCY BETWEEN THE QUANTITY OF PLANTS SHOWN ON THE SCHEDULE AND THE QUANTITY SHOWN ON THE PLAN, THE PLAN SHALL GOVERN.
- CONDITION OF VEGETATION SHALL BE MONITORED BY THE LANDSCAPE ARCHITECT THROUGHOUT THE DURATION OF THE CONTRACT. LANDSCAPE MATERIALS PART OF THE CONTRACT SHALL BE WARRANTED FOR ONE (1) FULL GROWING SEASONS FROM SUBSTANTIAL COMPLETION DATE.
- ALL AREAS DISTURBED BY CONSTRUCTION ACTIVITIES SHALL RECEIVE 6" LAYER TOPSOIL AND SOD AS SPECIFIED UNLESS OTHERWISE NOTED ON THE DRAWINGS.
- COORDINATE LOCATION OF VEGETATION WITH UNDERGROUND AND OVERHEAD UTILITIES, LIGHTING FIXTURES, DOORS AND WINDOWS. CONTRACTOR SHALL STAKE IN THE FIELD FINAL LOCATION OF TREES AND SHRUBS FOR REVIEW AND APPROVAL BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
- ALL PLANT MATERIALS SHALL BE WATERED AND MAINTAINED UNTIL ACCEPTANCE.
- REPAIR AT NO COST TO OWNER ALL DAMAGE RESULTING FROM LANDSCAPE CONTRACTOR'S ACTIVITIES.
- SWEEP AND MAINTAIN ALL PAVED SURFACES FREE OF DEBRIS GENERATED FROM LANDSCAPE CONTRACTOR'S ACTIVITIES.
- PROVIDE SITE WIDE IRRIGATION SYSTEM DESIGN AND INSTALLATION. SYSTEM SHALL BE FULLY PROGRAMMABLE AND CAPABLE OF ALTERNATE DATE WATERING. THE SYSTEM SHALL PROVIDE HEAD TO HEAD OR DRIP COVERAGE AND BE CAPABLE OF DELIVERING ONE INCH OF PRECIPITATION PER WEEK. SYSTEM SHALL EXTEND INTO THE PUBLIC RIGHT-OF-WAY TO THE EDGE OF PAVEMENT/BACK OF CURB.
- CONTRACTOR SHALL SECURE APPROVAL OF PROPOSED IRRIGATION SYSTEM INCLUDING PRICING FROM OWNER, PRIOR TO INSTALLATION.

**IRRIGATION NOTES:**

- ENTIRE SITE SHALL BE FULLY IRRIGATED. THE CONTRACTOR SHALL SUBMIT IRRIGATION SHOP DRAWINGS FOR REVIEW AND APPROVAL BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
- SEE MECHANICAL AND ELECTRICAL PLANS AND SPECIFICATIONS FOR IRRIGATION WATER, METER, AND POWER CONNECTIONS.
- CONTRACTOR TO VERIFY LOCATION OF ALL UNDERGROUND/ABOVE GROUND FACILITIES PRIOR TO ANY EXCAVATION/INSTALLATION. ANY DAMAGE TO UNDERGROUND/ABOVE GROUND FACILITIES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR AND COSTS ASSOCIATED WITH CORRECTING DAMAGES SHALL BE BORNE ENTIRELY BY THE CONTRACTOR.
- SERVICE EQUIPMENT AND INSTALLATION SHALL BE PER LOCAL UTILITY COMPANY STANDARDS AND SHALL BE PER NATIONAL AND LOCAL CODES. EXACT LOCATION OF SERVICE EQUIPMENT SHALL BE COORDINATED WITH THE LANDSCAPE ARCHITECT OR EQUIVALENT AT THE JOB SITE.
- CONTRACTOR SHALL COORDINATE WITH LOCAL UTILITY COMPANY FOR THE PROPOSED ELECTRICAL SERVICE AND METERING FACILITIES.
- IRRIGATION WATER LINE CONNECTION SIZE IS 1-1/2" AT BUILDING. VERIFY WITH MECHANICAL PLANS/COVAE.
- ALL MAIN LINES SHALL BE 18" BELOW FINISHED GRADE.
- ALL LATERAL LINES SHALL BE 12" BELOW FINISHED GRADE.
- ALL EXPOSED PVC RISERS, IF ANY, SHALL BE GRAY IN COLOR.
- CONTRACTOR SHALL LAY ALL SLEEVES AND CONDUIT AT 2-0" BELOW THE FINISHED GRADE OF THE TOP OF PAVEMENT. EXTEND SLEEVES TO 2-0" BEYOND PAVEMENT.
- CONTRACTOR SHALL MARK THE LOCATION OF ALL SLEEVES AND CONDUIT WITH THE SLEEVING MATERIAL "ELED" TO 2-0" ABOVE FINISHED GRADE AND CAPPED.
- FABRICATE ALL PIPE TO MANUFACTURER'S SPECIFICATIONS WITH CLEAN AND SQUARE JOINTS. USE QUALITY GRADE PRIMER AND SOLVENT CEMENT FORMULATED FOR INTENDED TYPE OF CONNECTION.
- BACKFILL ALL TRENCHES WITH SOIL FREE OF SHARP OBJECTS AND DEBRIS.
- ALL VALVE BOXES AND COVERS SHALL BE BLACK IN COLOR.
- GROUP VALVE BOXES TOGETHER FOR EASE WHEN SERVICE IS REQUIRED. LOCATE IN PLANT BED AREAS WHENEVER POSSIBLE.
- IRRIGATION CONTROLLER LOCATION SHALL BE VERIFIED ON-SITE WITH OWNER'S REPRESENTATIVE.
- CONTROL WIRES: 14 GAUGE DIRECT BURIAL, SOLID COPPER IRRIGATION WIRE. RUN UNDER MAIN LINE. USE MOISTURE-PROOF SPLICES AND SPICE ONLY AT VALVES OR PULL BOXES. RUN SEPARATE NOT AND COMMON WIRE TO EACH VALVE AND ONE (1) SPARE WIRE AND GROUND TO FURTHEST VALVE FROM CONTROLLER. LABEL OR COLOR CODE ALL WIRES.
- AVOID OVER SPRAY ON BUILDINGS, PAVEMENT, WALLS AND ROADWAYS BY INDIVIDUALLY ADJUSTING RADIUS OR ARC ON SPRINKLER HEADS AND FLOW CONTROL ON AUTOMATIC VALVE.
- ADJUST PRESSURE REGULATING VALVES FOR OPTIMUM PRESSURE ON SITE.
- USE SCREENS ON ALL HEADS.
- A SET OF AS-BUILT DRAWINGS SHALL BE MAINTAINED ON-SITE AT ALL TIMES IN AN UPDATED CONDITION.
- ALL PIPE 3" AND OVER SHALL HAVE THRUST BLOCKING AT EACH TURN.
- ALL AUTOMATIC REMOTE CONTROL VALVES WILL HAVE 3" MINIMUM DEPTH OF 3/4" WASHED GRAVEL UNDERNEATH VALVE AND VALVE BOX. GRAVEL SHALL EXTEND 3" BEYOND PERIMETER OF VALVE BOX.
- THERE SHALL BE 3" MINIMUM SPACE BETWEEN BOTTOM OF VALVE BOX COVER AND TOP OF VALVE STRUCTURE.

**CivilSite GROUP**  
Civil Engineering | Surveying | Landscape Architecture  
3000 Glenwood Avenue  
Golden Valley, MN 55425  
civilsitegroup.com 612 615-0080

**RonClark**  
Construction & Design

**1 AGGREGATE MAINTANENCE STRIP**  
N T S

- 2" - VERIFY W/ PLAN
- MN. 2" LAYER OF ROCK MULCH AS SPECIFIED. PROVIDE SAMPLE TO LANDSCAPE ARCHITECT FOR APPROVAL PRIOR TO INSTALLATION.
- STAGED LANDSCAPE EDGER AS SPECIFIED. SEE MANUFACTURER'S INSTRUCTIONS AND SPECS. FOR INSTALLATION AND PLACEMENT.
- WATER PERMEABLE GEOTEXTILE FABRIC AS SPECIFIED.
- COMPACTED SUBGRADE.
- FACE OF BUILDING, WALL, OR STRUCTURE.
- MN. 2" LAYER OF ROCK MULCH AS SPECIFIED. PROVIDE SAMPLE TO LANDSCAPE ARCHITECT FOR APPROVAL PRIOR TO INSTALLATION.
- STAGED LANDSCAPE EDGER AS SPECIFIED. SEE MANUFACTURER'S INSTRUCTIONS AND SPECS. FOR INSTALLATION AND PLACEMENT.
- WATER PERMEABLE GEOTEXTILE FABRIC AS SPECIFIED.
- COMPACTED SUBGRADE.

**2 DECIDUOUS & CONIFEROUS TREE PLANTING**  
N T S

- PRUNE AS FIELD DIRECTED BY THE LANDSCAPE ARCHITECT TO IMPROVE APPEARANCE (RETAIN NORMAL TREE SHAPE).
- THREE 2"X2" WOODEN STAKES, STAINED BROWN WITH TWO STRANDS OF WIRE TWISTED TOGETHER. STAKES SHALL BE PLACED AT 120° TO ONE ANOTHER. WIRE SHALL BE THREADED THROUGH NYLON STRAPPING WITH GROMMETS. ALTERNATE STABILIZING METHODS MAY BE PROPOSED BY CONTRACTOR.
- TRUNK FLARE JUNCTION: PLANT TREE 1"-2" ABOVE EXISTING GRADE.
- COMPACT BOTTOM OF PIT, TYP.
- CUT AND REMOVE BURLAP FROM TOP 1/3 OF ROOT BALL IF NON-BIODEGRADABLE, REMOVE COMPLETELY.
- BACKFILL AS SPECIFIED.
- MULCH TO OUTER EDGE OF SAUCER OR TO EDGE OF PLANTING BED, IF APPLICABLE. ROCK OR ORGANIC MULCH. SEE GENERAL LANDSCAPE NOTES AND PLAN NOTES FOR MULCH TYPE. KEEP MULCH MIN. 2" FROM PLANT TRUNK.
- EXISTING GRADE.
- SLOPE SIDES OF HOLE OR VERTICAL SIDES AT EDGE OF PLANTING BED.
- RULE OF THUMB - MODIFY EXCAVATION BASED ON LOCATION OF PLANT MATERIAL AND DESIGN OF BEDS OR OVERALL PLANT PLACEMENT.
- THREE TIMES WIDTH OF ROOTBALL.

**3 DECIDUOUS & CONIFEROUS SHRUB PLANTING**  
N T S

- PRUNE AS FIELD DIRECTED BY THE LANDSCAPE ARCHITECT TO IMPROVE APPEARANCE (RETAIN NORMAL SHAPE FOR SPECIES).
- PLANT TOP OF ROOTBALL 1-2" ABOVE ABOVE SURROUNDING GRADE.
- ROCK OR ORGANIC MULCH. SEE GENERAL LANDSCAPE NOTES AND PLAN NOTES FOR MULCH TYPE. KEEP MULCH MIN. 2" FROM PLANT TRUNK.
- ROOTS AT OUTER EDGE OF ROOTBALL LOOSENED TO ENSURE PROPER BACKFILL-TO-ROOT CONTACT.
- EXISTING GRADE.
- SLOPE SIDES OF HOLE OR VERTICAL SIDES AT EDGE OF PLANTING BED.
- BACKFILL AS PER SPECIFICATION.
- DO NOT EXCAVATE BELOW ROOTBALL.
- RULE OF THUMB - MODIFY EXCAVATION BASED ON LOCATION OF PLANT MATERIAL AND DESIGN OF BEDS OR OVERALL PLANT PLACEMENT.
- THREE TIMES WIDTH OF ROOTBALL.

**4 PERENNIAL BED PLANTING**  
N T S

- PLANT TOP OF ROOTBALL 1-2" ABOVE ABOVE SURROUNDING GRADE.
- ROCK OR ORGANIC MULCH. SEE GENERAL LANDSCAPE NOTES AND PLAN NOTES FOR MULCH TYPE. KEEP MULCH MIN. 2" FROM PLANT STEM.
- ROOTS AT OUTER EDGE OF ROOTBALL LOOSENED TO ENSURE PROPER BACKFILL-TO-ROOT CONTACT.
- EXISTING GRADE.
- SLOPE SIDES OF HOLE OR VERTICAL SIDES AT EDGE OF PLANTING BED.
- BACKFILL AS PER SPECIFICATION.
- DO NOT EXCAVATE BELOW ROOTBALL.
- MODIFY EXCAVATION BASED ON LOCATION OF PLANT MATERIAL AND DESIGN OF BEDS OR OVERALL PLANT PLACEMENT.
- SIZE VARIES - SEE LANDSCAPE PLAN.

**LANDSCAPE REQUIREMENTS**

Landscape Engineers Estimate				ENGINEER ESTIMATE			
DESCRIPTION	UNIT	ESTIM. QTY.	WHOLESALE COST	MATERIAL MARK-UP	INSTALL. COST	TOTAL UNIT PRICE	AMT. (\$)
<b>LANDSCAPE INSTALLATION</b>					50%	\$ 80.00	
LARGE TREES - 2.5" AVG. CALIPER +/-	EACH	56	\$ 425.00	\$ 637.50	\$ 240.00	\$ 877.50	\$ 49,140.00
EVERGREEN TREE - 6" +/-	EACH	85	\$ 385.00	\$ 427.50	\$ 240.00	\$ 667.50	\$ 43,387.50
ORNAMENTAL TREE - 1.75" CALIPER +/-	EACH	14	\$ 276.00	\$ 414.00	\$ 160.00	\$ 574.00	\$ 8,036.00
SHRUBS - #5 CONTAINER +/-	EACH	57	\$ 33.00	\$ 49.50	\$ 20.00	\$ 69.50	\$ 3,961.50
PERENNIALS #1 CONTAINER +/-	EACH	176	\$ 9.00	\$ 13.50	\$ 10.40	\$ 23.90	\$ 4,206.40
GROUND COVER - MULCH SF/YD	SF	1,000.00	\$ 0.40	\$ 0.60	\$ 3.20	\$ 3.80	\$ 3,800.00
GROUND COVER - ROCK FABRIC INSTALL w/STAPLE	SF	9,250.00	\$ 0.30	\$ 0.45	\$ 4.80	\$ 5.25	\$ 48,562.50
EDGING	LN FT	3,500.00	\$ 0.76	\$ 1.14	\$ 1.60	\$ 2.74	\$ 9,590.00
STORM BASIN SEEDING w/BLANKET, SEED, ETC	CU YD	1,000.00	\$ 0.45	\$ 0.68	\$ 2.40	\$ 3.08	\$ 3,075.00
BUFFER AREA GRADING AND SEEDING	CU YD	8,800.00	\$ 0.45	\$ 0.68	\$ 2.40	\$ 3.08	\$ 27,060.00
GRADING - FINAL GRADING	HOURS	200.00	\$ -	\$ 120.00	\$ 120.00	\$ 120.00	\$ 24,000.00
TOPSOIL	YARDS	525.00	\$ 20.00	\$ 30.00	\$ 80.00	\$ 110.00	\$ 57,750.00
MOBILIZATION	EACH	4.00	\$ -	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 4,000.00
RIP RAP 4-6" STONE	YARD	2.00	\$ 60.00	\$ 90.00	\$ 40.00	\$ 130.00	\$ 260.00
CONCRETE SIDEWALKS	SF	1,450.00	\$ -	\$ -	\$ 8.00	\$ 8.00	\$ 11,600.00
CONCRETE RETAINING WALLS	SF	884.00	\$ -	\$ -	\$ 50.00	\$ 50.00	\$ 44,200.00
SOD	YARD	5,616.00	\$ 2.75	\$ 4.13	\$ 2.00	\$ 6.13	\$ 35,623.00
IRRIGATION - SOD	ACRE	1.25	\$ 5,000.00	\$ 7,500.00	\$ -	\$ 7,500.00	\$ 9,375.00
IRRIGATION - DRIP IN BEDS	ACRE	0.25	\$ 5,000.00	\$ 7,500.00	\$ -	\$ 7,500.00	\$ 1,875.00
<b>TOTAL ESTIMATED LANDSCAPE/SITE COST</b>							<b>\$ 389,501.90</b>
<b>TOTAL PROJECT VALUE, APPROXIMATE (BUILDING CONSTRUCTION, SITE PREPARATION, &amp; SITE IMPROVEMENTS)</b>							<b>\$ 19,500,000.00</b>
<b>LANDSCAPE MINIMUM (1% OF PROJECT VALUE, OVER \$4,000,000)</b>							<b>\$ 195,000.00</b>

NOTE: Quantities and estimated unit prices are for reference only, to calculate landscape requirements. An estimate should be acquired from the contractor before beginning any work.

Project Value	\$19,500,000 +/-
-1,000,000	2% Project Value
1,000,000-2,000,000	\$20,000 + 3% Project Value
2,000,000-3,000,000	\$30,000 + 7.5% Project Value
3,000,000-4,000,000	\$37,500 + 25% Project Value
4,000,000+	1% Project Value
	<b>\$ 195,000.00</b>

PROJECT

**RIDGEWOOD PONDS**

MINNETONKA, MN

**RON CLARK CONSTRUCTION & DESIGN**  
7500 WEST 78TH ST., EDINA, MN 55439

MINNETONKA, MN

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

Robert L. Binder  
DATE: 4/8/23 LIC# MN 28521

ISSUE/SUBMITTAL SUMMARY

DATE	DESCRIPTION
4-8-2023	CITY SUBMITTAL

DRAWN BY: JL REVIEWED BY: PS, RB  
PROJECT NUMBER: 22439

REVISION SUMMARY

DATE	DESCRIPTION

**LANDSCAPE PLAN NOTES & DETAILS**

**L1.2**

811 Know what's below. Call before you dig.

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Construction & Design

**PRELIMINARY:  
NOT FOR CONSTRUCTION**

**RIDGEWOOD PONDS**  
MINNETONKA, MN

**RON CLARK CONSTRUCTION & DESIGN**  
7500 WEST 78TH ST., EDINA, MN 55439

SEE SHEETS  
C1.2 SOUTH TREE REMOVAL PRESERVATION PLAN AREA & DETAIL  
C1.3 FOR TREE INVENTORY LIST

REMOVALS LEGEND:

	TREE PROTECTION
	TREE REMOVAL - INCLUDING ROOTS AND STUMPS

ISSUE/SUBMITTAL SUMMARY	
DATE	DESCRIPTION
4-23-23	CITY SUBMITTAL
REVISION SUMMARY	
DATE	DESCRIPTION

DRAWN BY: JL      REVIEWED BY: PS, RB  
PROJECT NUMBER: 22439

TREE PRESERVATION PLAN

**C1.1**

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LOOKOUT SITE PLAN





LOOKOUT PERSPECTIVE VIEW

6.21.23



**Ridgewood Ponds  
Villa Neighborhood Home Exterior examples  
April 6, 2023**



**Detached Villa example from Legacy Oaks in Minnetonka**

**WHITTEN**  
ASSOCIATES, INC.

**RonClark**  
Construction & Design



## Pictures from our Legacy Oaks Neighborhoods





## Pictures from our Legacy Oaks Neighborhoods





## Other Villa Exterior options





## Pictures from our Legacy Oaks Neighborhoods





## Other Villa Exterior options





## Pictures from our Legacy Oaks Neighborhoods





**Pictures from Various Model homes  
in our Legacy Oaks and Trout Run Preserve  
Neighborhoods**



Front of home



Great Room



Dining



Kitchen



Stairs down and Foyer



Study



**Pictures from Various Model homes  
in our Legacy Oaks and Trout Run Preserve  
Neighborhoods**



Owners Suite Bedroom



Owners Suite Bath



Owners Suite Bath



Laundry – Mud/Craft Room



Lower Level Family Room



Lower Level Bar & Game area



**Pictures from Various Model homes  
in our Legacy Oaks and Trout Run Preserve Neighborhoods**



Front of home



Great Room



Dining



Kitchen



Office Nook



Owners Suite Bedroom



**Pictures from Various Model homes  
in our Legacy Oaks and Trout Run Preserve Neighborhoods**



Front of home



Owners Suite Bath



Owners Suite Bath



Laundry – Mud Room



Lower Level Family Room



Lower Level Bar & Game area



# Example Villa Floor Plans

## VILLA HOME



**LOWER LEVEL FLOOR PLAN**



**MAIN LEVEL FLOOR PLAN**

### ALEXANDER

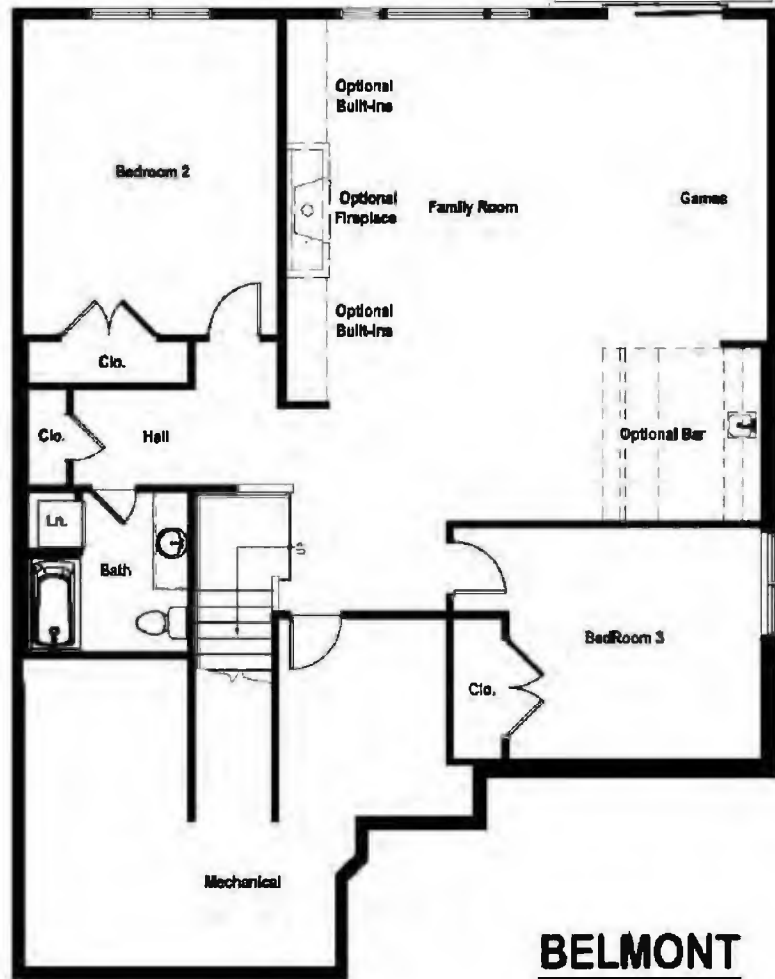
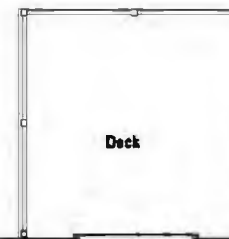
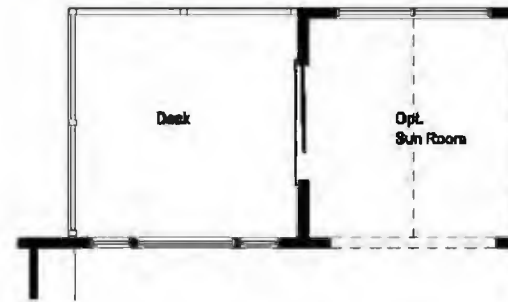
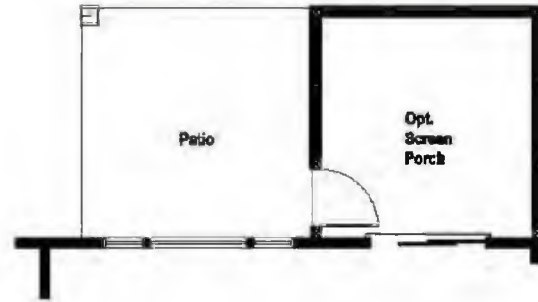
Main Level 1940 sq ft

Lower Level 1735 sq ft

**TOTAL 3675 sq ft**



# Example Villa Floor Plans



**BELMONT**  
**MAIN LEVEL**  
 1804 S.F.  
**LOWER LEVEL**  
 1428 S.F.  
**TOTAL**  
 3232 S.F.  
**OPT. SUN ROOM**  
 144 S.F.  
**UNFIN. MECH**  
 376 S.F.

07/12/2022



# Example Villa Floor Plans



3,368 with Porch and Flex

07/12/2022

## IRONWOOD

MAIN LEVEL

1688 S.F.

LOWER LEVEL

1400 S.F.

TOTAL

3088 S.F.

OPT. SUN ROOM

143 S.F.

OPT. FLEX ROOM

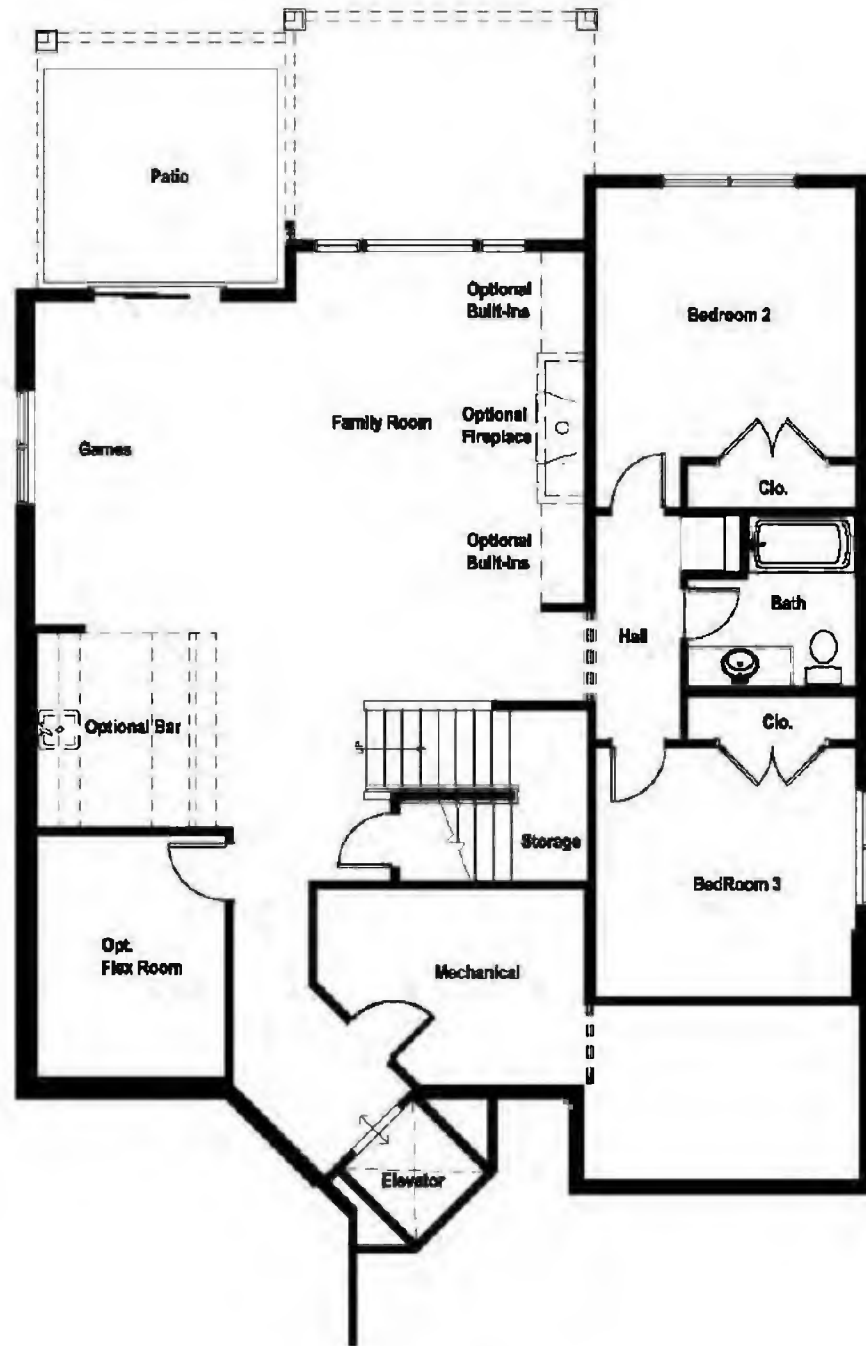
137 S.F.

UNFIN. MECH

151 S.F.



# Example Villa Floor Plans



PIKE LAKE LANDING  
MANCHESTER (LOWER LEVEL W/ ELEVATOR)

7-12-22



PIKE LAKE LANDING  
MANCHESTER (MAIN LEVEL W/ ELEVATOR)

7-12-22





# Example Villa Floor Plans

## VILLA HOME



### RAMSEY

98 Barton Court

Main Level 1668 sq ft

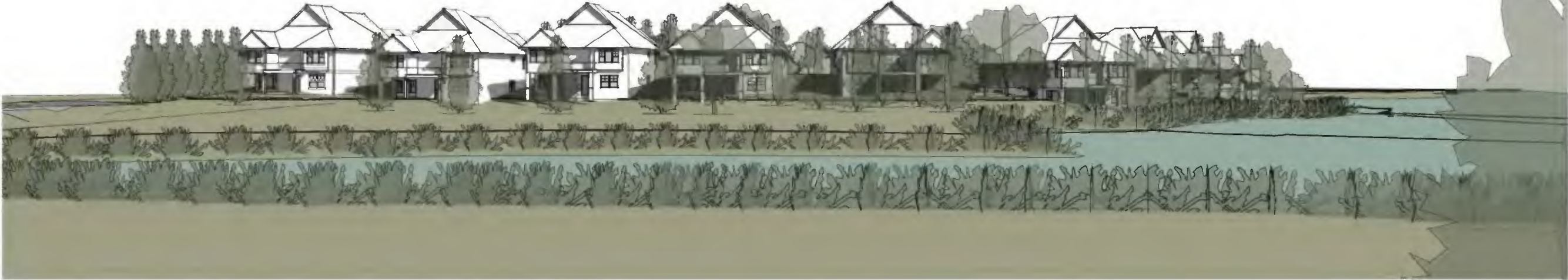
Lower Level 1300 sq ft

**TOTAL 2968 sq ft**

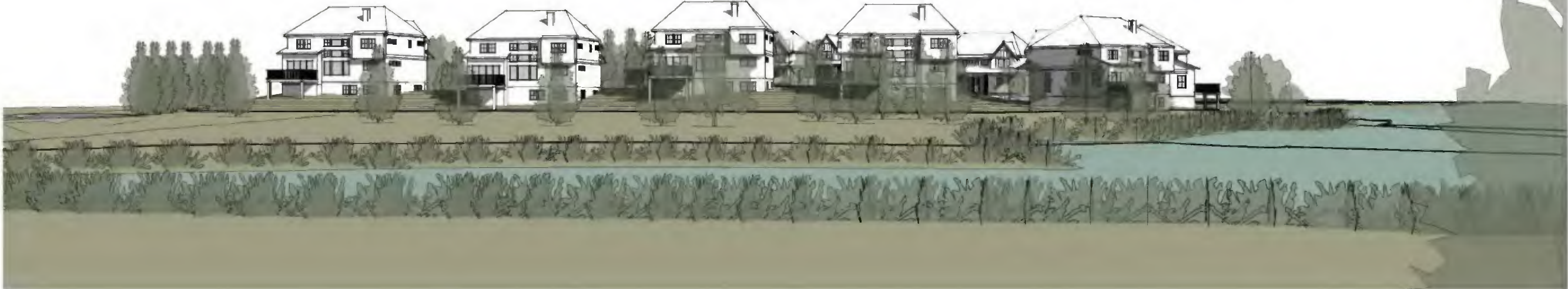
*OPT Flex Room 147 sq ft*



PROPOSED



RIA



R1



LOOKOUT PERSPECTIVE VIEW

5.31.23





SITE PLAN  
SCALE: 1" = 50' 0"

5.31.23

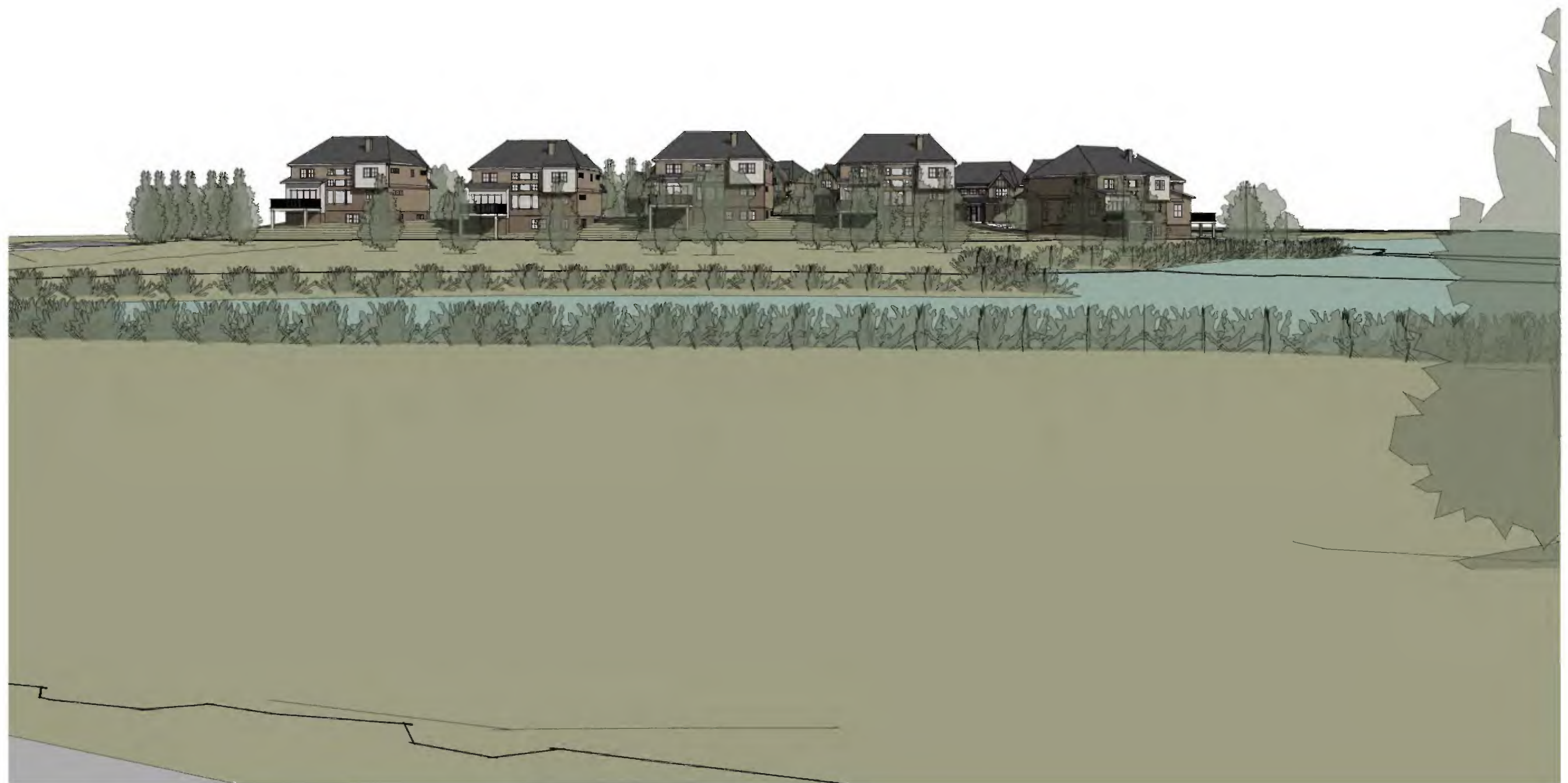




SITE PLAN - R1  
SCALE: 1" = 50' 0"

4.10.23

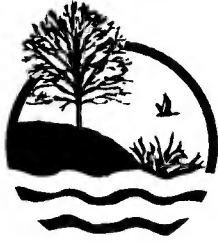












## Memorandum

**Date:** March 30, 2023

**To:** Mike Waldo, Ron Clark Construction  
Marty Campion, Campion Engineering

**From:** Melissa Barrett, Kjolhaug Environmental Services (KES)

**Re:** Wetland Restoration, Buffer Seeding and Management Plan, and De Minimis Wetland Fill for the Ridgewood Road project, Minnetonka (KES#2022-017)

The memo outlines proposed restoration activities for Wetland 3 & city/watershed buffer areas and describes proposed de minimis wetland fill for the Ridgewood Road project in Minnetonka. The site is located in Section 19, Township 117 North, Range 22 West, City of Minnetonka, Hennepin County, Minnesota, north of Ridgewood Road approximately 500 feet west of the intersection of Ridgewood Road and County Road 101. Currently, the 23.14-acre site is comprised of a large-lot single-family property with an existing home, sheds, mowed turf grass, deciduous forest, and wetlands.

### Wetland Restoration

Wetland 3 (Type 1 wetland) is currently a partially drained (wetland boundary = ~897 ft; wetland outlet = 894.8 ft), reed canary grass dominated wetland. Hydrologic and vegetation restoration of Wetland 3 is proposed as a component of the PUD.

The top 1 foot of peat soil will be removed and disposed of offsite thereby removing the reed canary grass thatch layer as well as the reed canary grass seedbank. Lowering of the land surface will bring the wetland bottom elevation closer to the water table. Discharge from the proposed stormpond will also contribute to wetland hydrology. The wetland will then be seeded with State Seed Mix 34-271 (Wet Meadow South and West) (**Figure A**).

### Disturbed & Undisturbed Buffer Areas

**Table 1 below** summarizes city/watershed district required buffer widths.

**Table 1. Summary of Applied Wetland Buffer Widths - Ridgewood Road**

Regulator	Wetland 1	Wetland 2	Wetland 3
City	No buffer width for Manage 3 wetlands	Manage 1; 25 feet	No buffer required on Type 1 wetlands
RPBCWD	Low Value wetland; 10-ft minimum and 20-ft average	Medium Value wetland; 20-ft minimum and 40-ft average	Low Value wetland; 10-ft minimum and 20-ft average



The areas of applied buffer are illustrated on **Figure A** and include both undisturbed and disturbed (graded) buffer areas.

- **Undisturbed/existing buffer areas** currently comprised of perennial vegetation will be preserved and managed in a naturalized condition to encourage growth of native vegetation and eliminate invasive species. These areas will be actively managed (mowing and spraying) to remove invasive or noxious species such as common buckthorn and garlic mustard.
- **Disturbed/graded buffer areas** will be reseeded with a native seed mix as outlined on **Figure A** (or similar) and summarized in **Table 2 below**. Disturbed buffer areas will be managed (mowing and spraying) for a minimum of 3 full growing seasons by a qualified vegetation specialist.
- Buffer restoration work in the area where the driveway will be removed will be decided after city staff is able to review this area but will likely include seeding and management similar to other disturbed buffer areas.
- No buffer disturbance or restoration work will occur along Ridgewood Road. Perennial vegetation is present along Ridgewood Road (except in the area of the existing driveway – see above bullet point).
- Buffer limits will be indicated by permanent, free-standing markers at the buffer’s upland edge (**Figure A**). A buffer monument template is also shown on **Figure A**.

**Table 2. Summary of Wetland Restoration and Buffer Seed Mixes - Ridgewood Road**

Area	Seed Mix Number	Seed Mix Name
Restored/excavated WL3	34-271	Wet Meadow South & West
WL3 Disturbed Buffer Area	35-241	Mesic Prairie General
WL2 Disturbed Buffer Area	36-211	Woodland Edge South & West
Infiltration Basin	33-262	Dry Swale/Pond

### **Historic Wetland Fill Removal**

A portion of Wetland 2 to the north of the home contains historic wetland fill comprised of construction materials, asphalt, concrete, and tree/shrub debris. This material will be removed from the wetland in the area shown on **Figure A**.

### **De Minimis Wetland Fill**

De minimis fill totaling 345 square feet is proposed in the back of Lot 11 within Wetland 2 (Type 2 wetland). De minimis fill allows for a wider structure setback consistent with neighboring properties. The de minimis fill area also overlaps with the historic wetland fill area.

Per MN WCA Rules 8420.0420 EXEMPTION STANDARDS. Subp. 8. De minimis. A. *Except as provided in items B and C, a replacement plan is not required for projects that impact up to the following amounts of wetlands: (3) in a less than 50 percent area: (b) 1,000 square feet of type 1, 2, or 6 wetland outside of the shoreland wetland protection zone and inside the 11-county metropolitan area.*

The proposed 345 sf of fill within the Type 2 edge of Wetland 2 (and which overlaps with the historic fill area) qualifies for the de minimis exemption. Thank you.







To: Mike Roebuck  
 Ron Clark Construction


From: Ed Terhaar, PE

File: 193806107

Date: March 16, 2023

**Reference: Trip Generation Information for Ridgewood Road Villas in Minnetonka, MN**

I hereby certify that this report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.



DATE: March 16, 2023

Edward Terhaar  
 License No. 24441

**Purpose and Background**

This memorandum presents trip generation information for proposed residential dwelling units located at 18116 Ridgewood Road in Minnetonka.

**Existing Conditions**

The project site is currently occupied by a single residential dwelling unit.

**Proposed Development Characteristics**

The proposed project will replace the existing dwelling unit with 13 new villa dwelling units. Access will be provided at one location on Lindsey Lane.

**Trip Generation**

Weekday a.m. and p.m. peak hour trip generation for the proposed development were calculated based on data presented in the eleventh edition of Trip Generation, published by the Institute of Transportation Engineers (ITE). The resultant trip generation estimates are shown in **Table 1**.

**Table 1**  
**Trip Generation for Proposed Project**

Land Use (ITE Land Use Code)	Size	Weekday AM Peak Hour			Weekday PM Peak Hour			Weekday Daily
		In	Out	Total	In	Out	Total	Total
Single Family Dwelling Unit (210)	13 DU	2	7	9	8	4	12	123

Notes: DU=dwelling unit







## LEVEL #2: MN GREEN PATH ADVANCED CERTIFIED

This mid-level green certification means a home has met a minimal energy testing standard plus includes additional green features.

- Project is tested by a RESNET Certified Rater and receives a HERS Index <47
- Built to Minnesota's Energy Code; Builder confirms energy certified requirements, **PLUS**
  - 5 points in Energy Efficiency
  - 5 points in Indoor Environmental Quality
  - 5 total points from Water Conservation, Resource Management, or Site Development
  - 5 total points from any of the five categories
- Project is issued a Minnesota Green Path Advanced Certified Home Performance Report
- Builder is a Housing First Minnesota member





### HOW DOES THE HERS INDEX WORK?

A certified Home Energy Rater assesses the energy efficiency of a home, assigning it a relative performance score. The lower the number, the more energy efficient the home. The U.S. Department of Energy has determined that a typical resale home scores 130 on the HERS Index while a standard new home is awarded a rating of 100. A home with a HERS Index Score of 70 is 30% more energy efficient than a standard new home. A home with a HERS Index Score of 130 is 30% less energy efficient than a standard new home



**50**

## **HERS Index Score of 50**

A great score! This home is 50% more energy efficient than a standard new home and 80% more efficient than the average resale home, which already puts it in a better bracket than a standard new home. However, there are still many improvements that can be made. The average HERS Index score for single family homes showcased in the recent Parade of Homes is approximately 51.



# About the Green Path Home Performance Report

## WHAT IS THE GREEN PATH HPR?

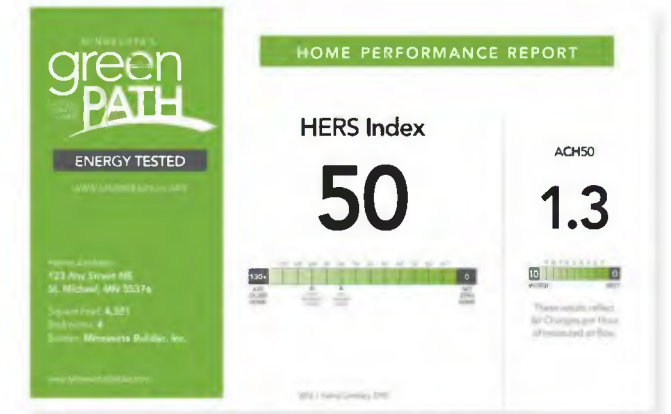
With today's energy codes, a newly built home in Minnesota is more efficient than ever. Add in advancements in building science plus new energy products, and you can be sure that all the new homes you'll find on Parade will save energy dollars over virtually all older homes.

But there's one more step you can take to be sure – select a home that has been inspected by a certified RESNET (Residential Energy Service Network) energy rater. These experts do more than look “under the hood” of a new home. They make recommendations about helping builders save energy all the time. And when they're done, they input the data they've gathered into modeling software that produces a Home Energy Rating System (HERS) Index number. The HERS index makes it easy to tell which homes are most energy efficient, so you don't need to dig into all the components (HVAC system, insulation, R values and more).

And that's what's at the heart of the MN Green Path program. At the Energy Tested level, Green Path provides documentation – a Home Performance Report (HPR) – that displays the home's HERS index. In homes that have even more green features, Green Path offers two certification levels, advanced and master, reporting all green features clearly on the enhanced HPR.

The HERS Index was created by RESNET in order to give homeowners and buyers a standard by which they could measure the energy efficiency of houses they currently own or are planning to buy. You could say it is kind of like the home industry's version of the MPG (miles per gallon) rating that you find in the auto industry and the lower a home's HERS Index Score is, the better its efficiency. Much like a car's MPG sticker, a home's HERS Index Score is increasingly being used by builders to market their properties.

Housing First Minnesota created Minnesota Green Path to help homebuyers make smart housing decisions. Like its Parade of Homes, Housing First Minnesota's goal is to provide families with accurate information about new homes – from pricing to location to style, and now energy efficiency and green features.





**Congratulations to the following builders that have received the following certifications for home projects entered:**

**Master Green Path Certification:** [Boyer Building Corp](#), [Endres Custom Homes, Inc.](#), [The Landschute Group, Inc.](#), [Michels Homes](#), and [Paltrin LLC](#)

**Advanced Green Path Certification:** [Amaris Homes LLC](#), [Bald Eagle Builders Inc.](#), [DiGiacomo Homes Inc.](#), [Endres Custom Homes Inc.](#), [Erotas Custom Building Company](#), [Fieldstone Family Homes Inc.](#), [Gorham Custom Homes LLC](#), [Hage Homes](#), [James Barton Design-Build Inc.](#), [JMS Custom Homes LLC](#), [Lucid Builders](#), [Mark D. Williams Custom Homes Inc.](#), [McDonald Construction Inc.](#), [Michels Homes](#), [MyHomeSource Construction](#), [Mill Creek Construction](#), [Ridge Creek Custom Homes](#), [Ron Clark Construction](#), [Stinson Builders Inc.](#), and [TreHus](#).



# Home Performance Report

MN GREEN PATH | WWW.MNGREENPATH.ORG



## HERS Index

# 47



This home is 53% more energy efficient than the HERS reference home built to code!



These results reflect Air Changes per Hour of measured air flow.



Home Address:

109 Barton Court, Wayzata 55391

Square Feet: 5,489 | Bedrooms: 3 | Baths: 2 full, 2 half

Builder: Ron Clark Construction

[www.ronclark.com](http://www.ronclark.com)



### Energy Efficiency

- HERS Index 47
- Blower door test result of  $\leq 0.3$  cfm per sq ft
- Systems approach to home design was used
- Bottom plates of exterior walls sealed to subfloor with gasket or two beads of caulk
- Foundation and mudsill air sealed
- No wood burning fireplaces installed inside thermal envelope
- Gas cooktop installed
- High-Efficiency Furnace (96+) with ECM motor installed
- Ladder framing used at partition wall connections and insulation achieves RESNET Grade 1 standards
- All above grade wall insulation achieves RESNET Grade 1 standards

### Indoor Environmental Quality

- 4" min perforated foundation drain with 3/4" of gravel and filter fabric installed at INSIDE perimeter of footings and rock entire underneath
- Water-based waterproofing system installed on below-grade walls

- Recessed light fixture installed in unconditioned areas are boxed and sealed
- HVAC air filters are MERV 12 or higher
- Carpet, adhesives, and cushion qualify for CRI Green Label Plus or Green Label Testing Program

### Resource Management

- Decking or patio material made from 40% content recycled material
- Roofing material with minimum 25% recycled content installed
- Reusable footings and foundation forms used
- Flexible ductwork without excess coils or loops installed
- Three of the following items are locally sourced (within 500 miles): *cabinets*, interior doors and trim, millwork, *windows*, flooring, *shingles*, roofing, *PEX tubing*, countertops
- Materials that protect waterproof membrane and function as hydrostatic pressure release installed

### Water Management

- Irrigation system design zones turf and bedding areas separately

- Drip Irrigation System installed
- Soil tested for nutrient level and structure
- If test required, soil amended to achieve optimal nutrient level and structure
- Erosion control plan designed by licensed engineer
- Irrigation system designed by EPA, water-sense certified professional
- Whole house water softener system installed

### Land Use

- Home built on infill site
- Home built in area where housing density averages more than 4 single-family homes per acre
- No healthy heritage trees removed on home-site
- Home within five miles of park-and-ride location
- Home within 1/2 mile of bike route
- Efforts taken to restore ecosystem damaged in construction
- Each tree removed during construction replaced with two or more trees

Your home's place on the Green Path:



The RESNET Home Energy Rating System (HERS) score rates homes against an index of the code reference home of 100. The lower the score, the more energy efficient the home. Older homes often score 130 or higher. In Minnesota today, new homes built to code generally test about 80.

The Air Changes Per Hour at 50 Pascals (ACH50) is the index used in blower door testing to indicate how airtight a home is. As with HERS, the lower the score the more energy efficient the home.

Minnesota's Green Path is a program of Housing First Minnesota.

APRIL 16, 2020 9:15 AM



GENEROUS SUPPORT FOR MINNESOTA'S GREEN PATH IS PROVIDED IN PART BY







# CHECK LIST

## Minnesota Green Path Energy Efficiency

Item #	Available Points	Earned Points	
1	1		Sub-slab insulation is installed under slabs within the thermal envelope (R10 minimum).
2	1	1	A systems approach to home design was used. Upload plan with air barriers, vapor retarders, and drainage planes clearly identified
3	1		A vestibule with two gasketed self-closing doors and walk-off mat is installed
4	1	1	Bottom plates of exterior walls are sealed to subfloor with gasket or two beads of caulk
5	1	1	Foundation and mudsill are air sealed
6	1	1	Cantilevered floors are completely sealed with spray foam above supporting walls.
7	2		A GSHP system with a high efficiency furnace (95+) and ECM Motor is installed
8	1		Insulated sheathing is installed on exterior of the building walls (R20 + 5 continuous or R13 + 10 continuous minimum)
9	1	1	No wood burning fireplaces are installed inside the thermal envelope
10	1		An induction cook top is installed
11	1 or 2		A solar-electric photovoltaic system is installed (1 point 4kw system and 2 points for 4.01 or greater).
12	1		A drain-water heat recovery unit (DHR / Combi-core) is installed.
13	1		80% of windows sq. footage have a U-value of 0.20 or lower
14	1		No recessed lights are installed into unconditioned space.
15	2		Basement walls are Insulated Concrete Formwork (ICF)
16	2		Above grade walls are Insulated Concrete Formwork (ICF).
17	2		Above grade walls are Structurally Insulated Panels (SIPs).
18	2		Roof/ceiling system is Structurally Insulated Panels (SIPs)
19	2		Exterior foam insulation is installed on above grade walls (R10 minimum)
20	1	1	Gas cooktop is installed
21	2	2	High-Efficiency Furnace (96+) with an ECM motor is installed
22	2		Air Source Heat Pump is installed (11 HSPF minimum)
23	1		A High-Efficiency Boiler is installed (94% minimum)
24	1	1	Ladder framing is used at partition wall connections and insulation achieves RESNET Grade 1 standards
25	1		Exterior walls are framed at 24" OC
26	1	1	All above grade wall insulation achieves RESNET Grade 1 standards
27	1 or 2		Special feature (up to 2 points). This allows for green technology not covered in the check list for this category. Please specify to be reviewed for approval by the Green Path technical committee.
		-----	
		10	TOTAL



Minnesota Green Path Indoor Environment Quality

Item #	Available Points	Earned Points	
1	1		Active soil gas (radon) mitigation system is installed.
2	1	1	4" min perforated foundation drain with 3/4" of gravel and filter fabric installed at INSIDE perimeter of footings and rock entire underneath
3	1	1	Water-based waterproofing system is installed on below-grade walls
4	1		A drainage plane and 3/8" air/drainage space exists behind siding
5	1	1	Recessed light fixture installed in unconditioned areas are boxed and sealed. (see manual for unconditioned space requirements)
6	1		Spray-foam insulation is applied to air seal over entire attic floor (R10 minimum)
7	1		ENERGYSTAR® rated garage exhaust fans are installed in attached garages (25CFM continuous or 100CFM intermittent)
8	1	1	HVAC air filters are MERV 12 or higher
9	1		HVAC Contractor verified that rooms and zones have balanced air flow (upload report) to be verified by a HVAC contractor or a company that holds the proper certification
10	1		Carpet covers 50% or less of floor space excluding bathrooms, and kitchens, entryways and utility rooms
11	2		No carpet is installed; home has all hard-surface flooring
12	1		Exterior envelope is sealed and tested at 1.25 ACH or lower
13	1		Certified low-VOC or no-VOC interior paints and finishes throughout
14	1		Carpet, adhesives, and cushion qualify for CRI Green Label Plus or Green Label Testing Program
15	1	1	ENERGYSTAR® certified bath and kitchen fans are installed
16	1		All materials containing adhesives or paint are low-emitting and low-formaldehyde
17	1		Properly designed ductless HVAC with ducted HRV/ERV is installed (Upload design plan for verification)
18	1		Total duct leakage testing was performed and does not exceed 2 CFM/100 square feet without furnace or 3 CFM/100 square feet with furnace (tested by a third party and not aroeseal results)
19	1 or 2		Special feature (up to 2 points). This allows for green technology not covered in the check list for this category. Please specify to be reviewed for approval by the Green Path technical committee.
		-----	
		5	TOTAL



Minnesota Green Path Resource Management

Item #	Available Points	Earned Points	
1	1	1	Decking or patio material is made from 40% content recycled material
2	1		Recycled erosion control materials were used for silt fencing.
3	1		Recycled concrete, asphalt, or glass was used for base or fill.
4	1		Two-stud with drywall clips or 3-stud (California) for framing corners
5	1		Single top plate construction installed throughout the majority of the house's framing
6	1	1	Roofing material with minimum 25% recycled content installed.
7	1		Insulation with minimum 20% recycled content installed for at least 50% of the insulation (e.g., all walls or only attic)
8	1		Construction waste was sorted on or off site and recycled as appropriate
9	1	1	A recycling center with a minimum of two sorting bins was installed
10	1		Recycling center includes compost sorting bin
11	1	1	Reusable footings and foundation forms were used
12	1		Beams, headers and trusses are made from reclaimed material
13	1		No 2x10 or larger dimensional lumber was used
14	1		90% of lumber in home is SFI/FSC/CSA certified.
15	1		Locally produced (within 500 miles of home) lumber was used.
16	1		Interior walls are framed on 24" center
17	1		Roofing material carries lifetime-warranty
18	1		Whole-house surge protector is installed
19	1		Fire suppression system is installed in house
20	1	1	Flexible ductwork without excess coils or loops is installed
21	1		One of the following items are recycled or reclaimed: wall coverings, floor coverings, countertop materials, millwork, or cabinets
22	1	1	Three of the following items are locally sourced (within 500 miles): cabinets, interior doors and trim, millwork, windows, flooring, shingles, roofing, PEX tubing, countertops
23	1	1	Materials that protect waterproof membrane and function as a hydrostatic pressure release are installed
24	1		Steel studs were used on new foundation walls for basement finishing
25	1		Finger-jointed lumber used for 1/3 of the home's dimensional lumber.
26	1		Studs are Laminated Strand Lumber (LSL, TimberStrand&reg;)
27	1 or 2		Special feature (up to 2 points). This allows for green technology not covered in the check list for this category. Please specify to be reviewed for approval by the Green Path technical committee.
		-----	
		7	TOTAL



**Minnesota Green Path Water Management**

Item #	Available Points	Earned Points	
1	1		Landscape plan with topography layout
2	1	1	Irrigation system design zones turf and bedding areas separately (upload design plan for verification)
3	1	1	A Drip Irrigation System is installed
4	1		Installed Drip Irrigation System has moisture/rain sensor (no points if code 1)
5	2		A greywater irrigation system and collection system are installed
6	1		Roof water drainage system is installed
7	1		Roof water drainage system uses rain barrels/cisterns
8	1		Hot water recirculating pump is installed (pump must NOT run continuously)
9	1		NSF-certified water filters are installed on drinking water sources
10	1 or 2		Enter total # of toilets installed in the home - the # that are composting, the # that use less water than 1.2 gallon/flush & the # that have light and heavy flush modes. If just one toilet, 1 point, two or more toilets, 2 points.
11	1		All lavatory faucets are .5 gal/min
12	1		Showerheads are 1.5 gal/min
13	1		A personal rain garden a minimum of 10 feet from the foundation is installed
14	1	1	Soil was tested for nutrient level and structure (upload results for verification)
15	1	1	If test requires soil to be amended to achieve optimal nutrient level and structure
16	1		A low-water landscaping plan was used; planted turf is low-water, low-mow (upload plan for verification).
17	1		At least 3" of mulch was applied to all planting beds
18	1		Showers each have no more than one shower head
19	1		No garbage disposal installed
20	1		A composting portable toilet was used on jobsite
21	1	1	An erosion control plan was designed by a licensed engineer (upload plan for verification)
22	1	1	Irrigation system was designed by EPA, water-sense certified professional (upload plan for verification)
23	1 or 2	1	Whole house water softener system installed (2 points if non-electric)
24	1		No plantings are within three feet of foundation
25	1 or 2		Special feature (up to 2 points). This allows for green technology not covered in the check list for this category. Please specify to be reviewed for approval by the Green Path technical committee.
		-----	
		7	



**Minnesota Green Path Land Use**

Item #	Available Points	Earned Points	
1	1		Home shares a common driveway or alleyway with at least one other home.
2	1	1	Home is built in an area where housing density averages more than 4 single family homes per acre
3	1	1	Home is built on infill site
4	1		There is an accessible community garden area within one mile of the home-site
5	1		Home is within 1/2 mile of local businesses
6	1		Wood (lumber or tree) waste was recycled on-site into mulch
7	1	1	No healthy heritage trees were removed on the home-site
8	1		Home is built on greyfield site
9	1		Home is built on brownfield site
10	1		Home is within 1/2 mile of public transportation access
11	1	1	Home is within five miles of a park-and-ride location
12	1	1	Home is within 1/2 mile of a bike route
13	1	1	There are no impervious surfaces outside of the building footprint, other than the driveway and code-required surfaces
14	1		Excavated soil was kept on-site
15	1	1	Efforts were taken to restore ecosystem damaged in construction (upload restoration plan for documentation)
16	1		A compost bin is installed outside the home
17	1		Patios are surfaced with permeable pavers
18	1		Driveway was surfaced with permeable pavers
19	1		A metal roof was installed
20	1		French drains were installed to keep water on-site
21	1		Over 50% of trees removed from construction site were replanted
22	1	1	Each tree removed during construction was replaced with two or more trees
23	1 or 2		25% of building site was undisturbed during construction (1 point) or 50% of building site was undisturbed during construction (2 points)
24	1	1	Home is oriented to maximize available light
25	1 or 2		Special feature (up to 2 points). This allows for green technology not covered in the check list for this category. Please specify to be reviewed for approval by the Green Path technical committee.
		-----	
		9	TOTAL





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## Restoration Plan for:

**Mike Waldo, RonClark Construction  
7500 West 78<sup>th</sup> Street  
Edina, MN 55439**

**Proposal Date: May 5, 2023**

**Prepared by:**

Bill Bartodziej M.S., Senior Restoration Ecologist  
Natural Shore Technologies, Inc.  
612.730.1542 [bill.b@naturalshore.com](mailto:bill.b@naturalshore.com)







USING ECOLOGY TO RESTORE LAND AND WATER

May 5, 2023

Dear Mike:

Below is a planting plan and a bid for the Marshes of Meadow Woods Project. After meeting with Marshes of Meadow Woods representatives in April, we developed a plan that will help to create a living barrier between the roadway and the existing homes. The main objective is to reduce light from vehicle traffic. I have included plans for installing native trees and shrubs in four target areas (see maps below). The exact planting locations will be determined at the time of planting, as we will be working around existing desirable native trees and shrubs.

We would enjoy the chance to answer any questions that you have regarding this restoration proposal. We take great pride in our reputation and attention to customer satisfaction. After you have read through and are comfortable with the proposed plan and specified cost, please sign the contract that is provided. A down payment and a signed contract are required to book your project.

Best regards,

Bill Bartodziej, M.S.  
Senior Restoration Ecologist, Natural Shore Technologies, Inc.



# MARSHES OF MEADOW WOODS – PLANTING AREAS









## ***Native Tree and Shrub Species List***

Trees and shrubs will be placed around existing native vegetation. A majority of the plant material will be located in saturated soils along the pond-wetland fringes. We will look for opportunities to fill gaps in vegetation and maximize natural screening opportunities. We will primarily use conifer tree species and wetland shrubs to create filtering throughout the year. Below is a breakdown of plant species, size, and number for each planting area.

<b>Species</b>	<b>Zone #1</b>	<b>Zone #2</b>	<b>Zone #3</b>	<b>Zone #4</b>
Black Spruce (#10)	3		3	4
White Cedar (#5)		5	10	5
Balsam Fir (#7)	3		3	4
Red-twig dogwood (#2)	5	5		
Common elderberry (#2)		5	5	
Highbush cranberry (#2)		5	5	
<b>TOTALS =</b>	<b>11</b>	<b>20</b>	<b>26</b>	<b>13</b>

## ***Project Cost***

This bid includes mobilization, management, all materials, and labor. This is a comprehensive bid estimate and valid for thirty days. We require a 50% down payment to schedule your project.



## Cost Breakdown:

Project Management, Mobilization		\$1,140.00
Site preparation, herb. trts, clearing, hauling		\$1,440.00
Mulch - 10 CY shredded hardwood		\$760.00
Trees and shrubs - 70 - installed		\$7,600.00
Maintenance Plan - 3 visits - 2023		\$492.00
<b>TOTAL =</b>		<b>\$11,432.00</b>

**Watering** – We will thoroughly water your site immediately after plant installation. Any necessary watering after installation is the responsibility of the owner. (Generally, normal rainfall during the growing season is adequate for native plant establishment.)

## Natural Shore Technologies Plant Material

We have commercial and retail greenhouses in Maple Plain. Our plants are Minnesota native perennials that will flourish year after year. Utilizing our own plant material in our projects assure quality control. Our wetland and prairie plants are guaranteed to establish during the first growing season. Perennial plants put most of their energy into establishing root systems so please keep in mind that the first year of growth will be mainly underground. You will see some flowering the first year, but significantly more flowering during the second year of establishment.

Information about our *retail native plant greenhouses* is at: [www.naturalshorenatives.com](http://www.naturalshorenatives.com)

**Below are photos of the selected tree and shrub species for this restoration:**





**Northern White Cedar (*Thuja occidentalis*)**





**Red Twig Dogwood (*Cornus sericea*)**





**Highbush Cranberry (*Viburnum Americanum*)**





**Balsam fir (*Abies balsamea*)**





**Black spruce (*Picea mariana*)**





**Common elderberry (*Sambucus canadensis*)**



# Guarantee

We stand by our native plant material and our ecological restoration services.

Native plants that we install are guaranteed to establish during the first growing season. Any plant material that does not make it through the first growing season will be replaced at no charge to the client.

On projects that we install and manage, we will guarantee successful establishment of your ecological restoration within three full growing seasons. This proposal provides a plan for accomplishing the restoration of the project site. If successful establishment does not occur within three growing seasons, all necessary steps will be taken to ensure the eventual success of the project, at no additional charge. For purposes of this guarantee, successful establishment is defined as follows: That the presence of at least 80% of the original seeded or planted species can be found on the site, and that the overall density of vegetation is comprised of no less than 80% native species.

The only exceptions to this guarantee have to do with plant death due to acts of God (floods or drought) the actions of others (vandalism), or animal herbivory (e.g., geese, muskrats). Watering by the owner during dry periods is necessary, and the lack of adequate watering in this circumstance may nullify this guarantee.

If these extreme circumstances do happen to occur, we will work with the client at a reduced rate to make all necessary repairs.

Our goal will always be to create successful, long-term partnerships with our clients. Our guarantee is the best in the business, and provides you with a clear understanding that we are here to fully support your ecological restoration endeavor.



## Contract

- A down payment of \$5,716.00 is required to schedule your project.
- The remainder of the project cost is due at project completion. Any unpaid amount beyond the 30 day period after billing will incur a 3% monthly finance charge.
- *Please note that this proposal is valid for 30 days from the date on this Contract.*

If you would like to proceed with the above outlined project, please sign the contract below.

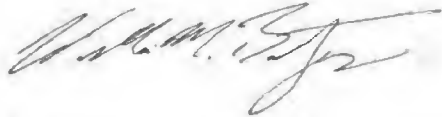
Client name: \_\_\_\_\_ Contract Value: \$11,432.00

Signed: \_\_\_\_\_ Date \_\_\_\_\_

Contractor: **Natural Shore Technologies, Inc.**

Signed:

Contract Date: Contract Date for 30 Day term



William M. Bartodziej, M.S.

Senior Restoration Ecologist, Natural Shore Technologies

**Please return a signed copy of this contract and a check to:**

Natural Shore Technologies, Inc.  
6275 Pagenkopf Rd.  
Maple Plain, MN 55359



*Using Ecology to Restore Land and Water*



# Benefits of our quality restoration work.



## Conserve Soil

- Native plants:
- \* Build soil health
  - \* Capture carbon



## Protect Water Quality

- Deep roots:
- \* Promote infiltration
  - \* Reduce runoff
  - \* Prevent erosion from runoff & wave action



## Beautiful Landscapes

- \* Connect with nature
- \* Enjoy your view
- \* Wild experiences in your own backyard



## Create Habitat

- \* For, birds, fish, insects & other wildlife
- \* Diverse plant communities
- \* Food sources
- \* Attract pollinators



## Educate Future Conservationists

- \* Field experience
- \* Make connections between human impact & ecosystem health





Doc No 8492392 12/15/2004 04:30 PM  
Certified filed and or recorded on above date:

Office of the County Recorder  
Hennepin County, Minnesota

Michael H. Cunniff, County Recorder

Deputy 7

TransID 81145

Fees

\$15.00 DOC

\$4.50 SUR

\$19.50 Total

2004 AND PRIOR TAXES PAID  
TAXPAYER SERVICES  
TRANSFER ENTERED

DEC 15 2004

HENNEPIN COUNTY MINN.  
*[Signature]*  
DEPUTY

**ROAD AND UTILITY EASEMENT**

**Custom Home Bldrs Title**

THIS ROAD AND UTILITY EASEMENT is given on November 19, 2004 by Meadow Woods LLC, a Minnesota limited liability company ("Owner"), to the CITY OF MINNETONKA, a Minnesota municipal corporation (City"), in accordance with the following:

1. **Ownership.** Owner is the fee owner of the property legally described on attached Exhibit A ("Property").
2. **Grant of Easement.** For valuable consideration, Owner conveys to the City an easement for utilities and public right-of-way purposes ("Easement") over, under, and across the real property in Hennepin County, Minnesota, legally described on attached Exhibit B (Easement Area) and depicted on attached Exhibit C.
3. **Scope of Easement Rights.** The Easement includes the right of the City, its contractors, employees, agents and assigns to:
  - a. locate, construct, reconstruct, operate, maintain, inspect, alter and repair within the Easement Area a public roadway, storm sewer, sanitary sewer and water facilities, ground surface drainage ways and sidewalks, or other public facilities or



improvements of any type that are not inconsistent with a public right-of-way use;  
and

b. cut, trim, or remove from the Easement Area trees, shrubs, or other vegetation that in the City's judgment unreasonably interferes with the City's easement or facilities.

4. **Duration of Easements.** The Easement is permanent and remains in effect in perpetuity.

5. **Warranty of Grantor.** The Owner warrants that it is the owner of a fee simple interest in the Property, that it has the right to grant the Easement, and that the Property is free and clear of any lien, encumbrance, easement, restriction, covenant or condition, except for those filed of record with the County Recorder or Registrar of Deeds for Hennepin County, Minnesota.

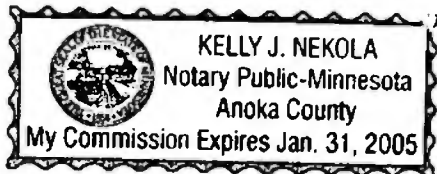
6. **Easement Runs with Land.** The Easement runs with the land and is binding on the Owner, its heirs, successors and assigns.

Meadow Woods LLC

By Bruce A. Nedegaard  
Bruce A. Nedegaard  
Its President and Chief Manager

STATE OF MINNESOTA }  
                          Anoka        } SS  
COUNTY OF HENNEPIN }

The foregoing instrument was acknowledged before me this 19 day of November, 2004 by Bruce A. Nedegaard, the President and Chief Manager of Meadow Woods LLC, a Minnesota limited liability company, on behalf of the limited liability company.



Kelly J. Nekola  
Notary Public



THIS INSTRUMENT WAS DRAFTED BY:

Hinshaw & Culbertson LLP (RAW)  
3100 Campbell Mithun Tower  
222 South Ninth Street  
Minneapolis, MN 55422  
(612) 334-2516

**For City use only:**

Planning File # \_\_\_\_\_

Date of Council approval \_\_\_\_\_



## EXHIBIT A

Lots 1 and 2, Block 1, Marshes of Meadowwoods

Lots 1 through 3, inclusive, Block 2, Marshes of Meadowwoods

Lots 1 through 6, inclusive, Block 3, Marshes of Meadowwoods

Lots 1 through 6, inclusive, Block 4, Marshes of Meadowwoods

Outlots A, B, C, D, E and F, Marshes of Meadowwoods, Hennepin County, Minnesota  
according to the recorded plat thereof.



EXHIBIT B  
EASEMENT AREA

Outlot C, Marshes of Meadowwoods





# OF MEADOWWOODS

C.R. DOC. NO.

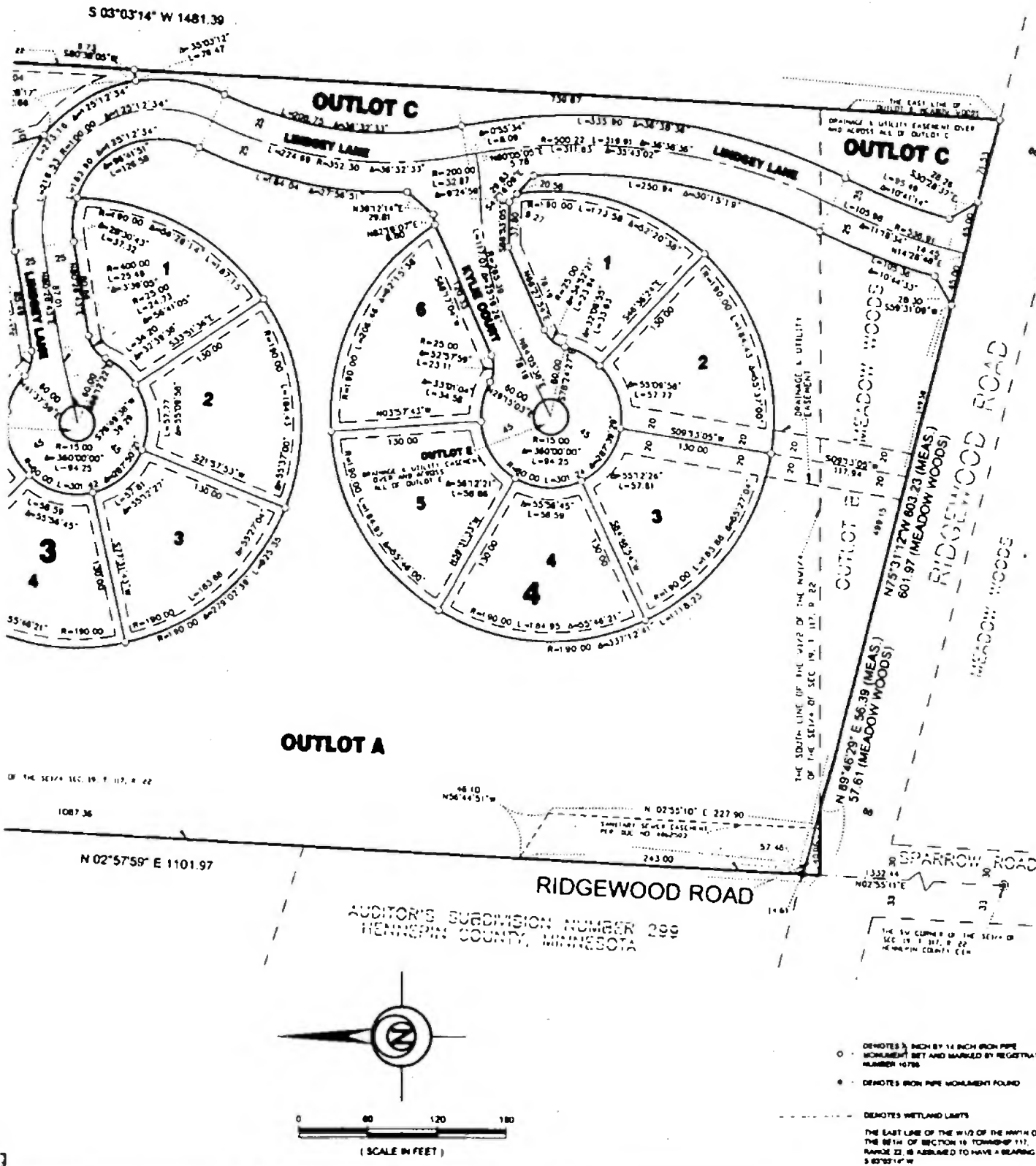


EXHIBIT C



**From:** [Bryan Thompson](#)  
**To:** [Loren Gordon](#)  
**Subject:** Planning Commission Meeting May 18th regarding the planned development on Ridgewood Rd. by Ron Clark Homes  
**Date:** Sunday, May 14, 2023 4:05:20 PM

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5/14/2023

Dear Mr. Gordon,

Greetings from The Marshes of Meadowwoods. My name is Bryan Thompson. My wife Ina, and I live at 4221 Lindsey Lane. Our house is in the second cul de sac off of Lindsey Ln. We built our home 11 years ago and love living in Minnetonka. At the time of the build, our builder said it was the most difficult build he had ever done in regard to planning, setbacks, and dealing with the conservation easements. The Marshes of Meadowwoods is in a sensitive area in a marsh, just like the proposed development next door by Ron Clark.

We have been following the official development correspondence and attending the City Council planning meetings ever since we found out Ron Clark bought the property to the east of the Marshes of Meadowwoods. It's been interesting to listen to all the differing agendas that have been presented. As far as I know, Ron Clark the builder, has not compromised and is pushing their original plan to stuff as many houses as possible onto the relatively small buildable area of the property.

Several residents from neighboring developments came to the meetings to share the water problems they are already experiencing. Some without any solution in sight. They made time to come to the meetings to voice their concern for additional water issues that would likely result from having a new development with the associated hard cover surface of a 13-home development plus the roads and driveways to service them jammed onto the only buildable area of a large wetland area property.

Some planning and council members talked about the issues that occurred when building Co Rd 101 and the high expense of rebuilding it. This area is a challenge to build anything on. It's probably the # 1 reason why no other builders took on the project. We sincerely hope the City Council and Planning Commission decides to limit the number and density of the homes that are built on the site. Several long-time members voiced their concern for water and drainage issues during the first meetings. Several more were concerned about the high density of homes the builder has proposed.

Please take the high density and water/drainage issues seriously and consider them when you vote and or make decisions on the proposed Ron Clark development.

Respectfully Submitted,

Bryan Thompson  
4221 Lindsey Ln.  
Minnetonka, MN 55345



**From:** [Becky Nyberg](#)  
**To:** [Ashley Cauley](#)  
**Subject:** Ridgewood Villa Development Concerns  
**Date:** Sunday, June 18, 2023 7:50:05 AM

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June 18, 2023

Dear Ashley,

Thank you for your time and insight at our Meadow of Marsh Woods (MMW) and Ron Clark Construction (RCC) neighborhood meeting. I understand it is a polarizing project with many viewpoints. Thus far, the concerns of MMW residents and also those of neighboring communities, that have been raised at previous city planning and council meetings have not yielded ANY changes by RCC to their proposed original plan, in particular, the density. I don't feel heard as a Minnetonka resident.

I reiterate the concerns of all residents of MMW about the Villas at Ridgewood, namely, too high of density, concerns of the negative impact to the wetlands that the MMW stewardship fund has contributed \$44,000 thus far to protect and restore, in particular, polluted water runoff from snow removal and lawn chemicals. It is imperative that this money spent and the time and effort to restore these wetlands not be compromised by polluted water runoff! Please, please consider the significant negative impacts the density of this development will undoubtedly have on the wetlands.

Additionally, parking of construction vehicles on Lindsey Lane and Kylie Court is another SIGNIFICANT issue! Trail safety is in jeopardy if any vehicles park on the east (trail side) of Lindsey Lane. Even if there is a row of vehicles parked only on one (west) side of Lindsey Lane, it is impossible for two cars to pass, requiring one car to back up which is definitely a safety issue. Emergency vehicles would also be unable to maneuver and with the addition of snow banks, the road will be even narrower. How would the plows even clear the roads if there are upwards of 30 construction vehicles parked? (per Ron Clark at June 13, 2023 neighborhood meeting) I implore the City of Minnetonka to painstakingly think through all these issues and implement and communicate a plan of resolution.



Should this project indeed take place, I request the planning commission and city council require the following measures during the construction process and write into the Ron Clark Construction protocol.

1. NO construction parking on Lindsey Lane and Kylie Court. RCC must use the Ridgewood Villa property to park all construction vehicles, or park on Ridgewood Road, as there are zero 'No Parking' signs on Ridgewood Road in the Ridgewood Villa developments proximity. Additionally, talks are underway with Ridgewood Church regarding utilizing their parking lot for construction parking. Should this option be available, (RCC to incur any costs and liability), there should be no need for any construction parking on Lindsey Lane or Kylie Court. A petition process to add no parking signs to the east side of Lindsey Lane and Kylie Court is also underway.
2. Adhere to construction hours of 6:00am-5pm on exterior tasks (ie; grating, framing, roofing etc.) from Memorial Day through Labor Day each year of construction.

Thank you for forwarding this letter to the members of both the Planning Commission and City Council members prior to the July 6, 2023 meeting.

Respectfully,  
Becky Nyberg

Sent from my iPad



**From:** [Bryan Rice](#)  
**To:** [Ashley Cauley](#)  
**Cc:** [Joseph Boyer](#); [Sushil Rana](#)  
**Subject:** Ridgewood Road Developemnt  
**Date:** Wednesday, June 7, 2023 11:20:31 AM

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Hi Ashley,

Thank you for your diligence on the potential Ridgewood Road Development project. As I have communicated earlier, I am *personally* okay with either of the road ingress/egress scenarios' provided the City, Developer and the Association have a firm understanding on what's needed and in the best interest of all parties.

Having said that, I would ask that you revisit the ingress/egress options, especially in-person perhaps even at dusk so that you can see the implications of both scenarios'. While I know pro/con's for both with each having their own limitations, cause and effect, I like the safety aspect ( turning radius, one-set of incoming traffic, wider road, less curvy, less pedestrians', bicyclists, etc.) of the Kylie intersection and the road itself less travelled. I also feel it is important to note that if placed within the proposed plan (non-Kylie intersection) it appears to have some significant impact on the Rana property at 18310 Kylie Court, with headlights sweeping across the entire radius of the back of their home, which I believe to be his primary living area. I know the Kylie intersection has similar concerns, but does not appear to have such a major impact on any one party, although I'm sure others may feel different and perhaps rightly so.

Again, thank you for your diligence and professionalism in this matter. I am confident that you (and others) will do what's best for all parties here.

Bryan Rice

4230 Lindsey Lane  
Minnetonka



**From:** [Joseph Boyer](#)  
**To:** [Ashley Cauley](#)  
**Subject:** Fwd: Photos  
**Date:** Monday, May 15, 2023 9:06:38 PM

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Ashley,

Please note that a few of us in Marshes of Meadowwoods who have issues with the proposed road easement would like to speak at the meeting.

Please find photos attached representing the hillside property boundary and the density of the trees.

Thank you!

Joseph Boyer

















**From:** [Joseph Boyer](#)  
**To:** [Amanda Maxwell](#); [Joshua Sewall](#); [Matt Henry](#); [John Powers](#); [David Waterman](#); [Alex Hanson](#); [Derrick Banks](#); [Loren Gordon](#)  
**Subject:** Ridgewood Ponds, Planning Com Meeting, May 18th  
**Date:** Saturday, May 13, 2023 10:53:38 AM  
**Attachments:** [Save my property rights 5-13.pdf](#)

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Planning Commission Meeting May 18th  
Save my property rights. Date 5/13/2023

Dear Commissioners,

I hope you are well and looking forward to a nice summer.

My name is Joseph Boyer and my wife Monica, and I live at 4218 Lindsey Lane. Four years ago I was asked to act as President of the Marshes of Meadowwood Association, perhaps because of my Home Building background. I wanted you to know that this past week the Marshes of Meadowwoods Association Board engaged the membership with a vote on the road easement location. Out of 15 Members only 5 members approved the location as submitted by Ron Clark Companies. The remaining votes consisted of 4 against with the rest unsure or disengaged in the controversy. The 5 members mainly living Kylie Ct cul-de-sac in favor of the developers concept plan would rather push the problems associated with increased traffic down the street for others to deal with. In doing this several negative effects take place.

1. As vehicles leave the development traveling West on the proposed plan vehicle light pollution projects out across 3 members' backyards, (especially in winter months when there are no leaves on the trees) outside decks and patio spaces as well as bedroom windows, most of the private rooms of their homes. Thereby creating a perpetual nuisance leading to loss of use and enjoyment of their properties. This is a very difficult situation to control due to sloping topography and lack of suitable soil to plant on near the 3 members homes.
2. Demolition of a lovely stand of preserved White Pine trees we share as a hillside boundary on out lot C. The Developers plan acknowledges this and states that half of the trees will need to be removed.
3. Reduces safety because of the 10% downhill slope of the road leaving the development. Sightlines are compromised as you approach Lindsey Ln. Stopping is more difficult, especially in the winter months. The pedestrian pathway to the Regional Trail will need to be sloped approximately 3.5 feet down to the road level compromising the safety of bicycle activity across the proposed hillside roadway.

Notes,

1. The concept plan does not illustrate the alignment and impact on the neighboring properties, i.e. Marshes Of Meadowwoods owners.
1. I am an owner of one of the three affected properties with the three of us sharing a common backyard. We are the only members in the association with this backyard situation, all other neighbors have open water or wetland with no backyard neighbors.
2. Currently 2 Kylie Court members have preexisting light pollution issues that can and will be improved with the proposed tree planting plan.
3. Traffic across Kylie Ct is inevitable on either plan.
4. A road easement on Kylie Ct can mitigate the negative effects mentioned above. In addition, it currently has future utility stubs located at the intersection to the property line.
5. A road easement on Kylie keeps vehicle light pollution on the public street not across MOMW members backyards.

Respectfully Submitted.

Joseph Boyer.





**From:** [Joseph Boyer](#)  
**To:** [Amanda Maxwell](#); [Joshua Sewall](#); [Matt Henry](#); [John Powers](#); [David Waterman](#); [Alex Hanson](#); [Derrick Banks](#); [Loren Gordon](#); [Ashley Cauley](#); [Brad Wiersum](#)  
**Subject:** Ridgewood Ponds Development  
**Date:** Sunday, June 4, 2023 2:03:53 PM  
**Attachments:** [Message to Planning Com 6-3-23.pdf](#)

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Dear Commissioners,

I hope this email finds you well.

Please find the satellite image of the proposed road and my one page letter to you with reasons this plan should be rejected. I do not say this with ease but with frustration. The proposed road easement location is fraught with problems of all sorts. It only serves the developers mission to reduce road construction and maximize housing density.

Additionally, Marshes of Meadows voted on the proposed site vs. the Kylie Ct site for the road easement. Out of 15 members only 5 are for the proposed road easement location.

Would it be possible to let me know that you have received my message successfully? I am open to talking with you on this matter, my cell phone is below.

Thank you!

Joseph Boyer





# Opposition to the Ridgewood Ponds Concept Plan Planning Commission Meeting June 15<sup>th</sup>, 2023

Dear Commissioners,

Please send the Developers back to the drawing board on this concept plan. The designated 2004 road easement on Kylie Court is the best location because it is level, therefore safer, preserves more trees, and preserves the property rights of the Marshes of Meadowwoods neighborhood. Furthermore, the Kylie intersection has the sewer and water valves and future services under Marshes of Meadowwoods outlet C, ready to go. In addition, this location has a fire hydrant, a streetlight and a public road going West, North, and South so there are no property rights issues at this location ie. Automobile headlight nuisances on private property.

1. The concept plan is **Less Safe** because of the 10 percent road grade slope down to a T intersection on Lindsey Lane. It creates a hazard for vehicle traffic needing to stop at the bottom of the hill especially in winter. Further, it creates a sloping pedestrian pathway down to the proposed road on each side, because currently, the pathway runs level and is 3 feet higher than Lindsey Lane. It is not hard to imagine the hazard that is created when a person riding a bike at this location speeding up to a mostly blind intersection.
2. The concept plan road location **Creates a Public Nuisance** for the owners of property across the street from the proposed roadway. Though the Developer has shown interest in planting trees to mask the headlight problem there is no way to effectively screen vehicle headlights from high on the hill of the development running down slope to Lindsey Lane due to the lack of suitable ground, ponds, and wetlands. Please keep in mind that this is the most private space for 3 Marshes of Meadowwoods homeowners. This is not a new issue that I am referring to, the developer continues to push his high-density, low road construction expense concept, I believe they have overreached in this case.
3. The concept plan roadway and its housing layout **Will Not Preserve Protected Trees** with respect to our Natural Environment. The stand of significant White Pines will be decimated, the loss of this natural resource will be a significant loss of wildlife as well, why wouldn't we want to fully protect this? A Kylie Court Road easement provides for saving the trees to perpetuity.

The Developers argument,

The developer may say that he needs to build up to the property line to get the density to make his accounting work. I would like to know how much the Developer is saving by having an easement more than 450 feet into Lindsey Lane with sewer and water ready at Kylie Court?

In Closing,

Thank you for the opportunity to write and express my concerns to you. I appreciate that your workload is quite high and that it takes time to address all the opinions before you. I will be out of town for the June 15<sup>th</sup> meeting and will not be in attendance online. Please vote no on this concept plan.

Thank you!

Joseph and Monica Boyer  
4218 Lindsey Lane  
Minnetonka MN 55345





# Hennepin County Property Map

Date: 5/16/2023



1 inch = 200 feet



**6. Report from Planning Commission Members**

Powers appreciated the great job the public works staff did plowing the streets after the heavy snow falls.

**7. Public Hearings: Consent Agenda**

No item was removed from the consent agenda for discussion.

***Waterman moved, second by Maxwell, to approve the item listed on the consent agenda as recommended in the staff report as follows:***

**A. Items concerning Groveland Elementary School at 17310 Minnetonka Blvd.**

Recommend that the city council adopt the attached resolution approving a conditional use permit and site plan review with a variance and expansion permit for Groveland Elementary at 17310 Minnetonka Blvd.

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

**8. Other Business**

**A. Concept plan review for Ridgewood Road Villas at 18116 Ridgewood Road.**

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

Cauley reported. Staff recommends commissioners provide comments and feedback to assist the applicant with future direction that may lead to the preparation of more detailed development plans.

Mike Waldo, Ron Clark Construction, representing the applicant, stated that:

- He attended a meeting with neighbors and heard their concerns. It opened up a good dialogue that will be continued.
- The style of the home would be similar to Legacy Oaks. They would be a high-quality product. The ranch-style residences with walkouts or lookouts would be designed for empty nesters, but there would be no age restriction.
- A wetland delineation, tree survey and preliminary grading plan have already been completed to make sure the proper buffers to the wetland are maintained and the site works with the concept plan.
- A stewardship agreement would be considered for the wooded area on the north and buffer areas.



- He spoke with the neighbor on the north and adjusted the position of the proposed house on the concept plan that would be located nearest her property and agreed to plant trees to provide her residence with a buffer in response to her comments.
- Evergreens would be added on the west side of Lindsey Lane and the last 200 feet of the proposed road would have a downslope to deflect headlights when vehicles enter Lindsey Lane from the proposed road.
- The proposed residences would have customized fronts.

Tim Whitten, Whitten and Associates, landscape planner and architect for the applicant, stated that:

- The product is designed for empty nesters and is a needed product in Minnetonka.
- The proposal would provide housing for seniors who want to downsize which would free up their larger single-family residences.

Mr. Waldo stated that he and Mr. Whitten are available for questions and appreciate the commissioners' feedback.

Chair Sewall looks forward to learning how many units per buildable acre the site could accommodate if an application with detailed plans is submitted in the future.

In response to Waterman's question, Mr. Waldo stated that the concept plan is already in compliance with the tree protection ordinance.

Jay Jensen, 4209 Lindsey Lane, stated that:

- He has a paver driveway and a conservation easement on his property. All of the stormwater runoff is contained on his property.
- There is a stewardship agreement managed by the city for his property.
- He wants to protect the otters he has seen near his property.
- He does not want the proposal to have a detrimental impact.
- He would appreciate the applicant meeting with neighbors again before the applicant submits an application to the city.
- Lindsey Lane is a narrow public street. He would like a driveway created for construction traffic to minimize the impact on Lindsey Lane.
- He encouraged paver driveways be used to help with water infiltration and create a better appearance.
- He would like the proposed road moved to the south to save some very old pine trees and minimize the slope that carries water down the hill.
- His backyard has natural vegetation instead of grass. He would like the proposal to have the same conservation markers in their backyards as he does to protect the wetlands.



- He suggested a traffic control device like a stop sign or speed bump be added to the public road to protect the pedestrians and bikers using the regional trail.
- He noted that Mr. Waldo already mentioned that spruce trees would be added along Lindsey Lane to minimize the headlight impact.
- He appreciated everyone's time.

Mary Ann Coleman, 18317 Kylie Court, stated that:

- She is 100 percent against the project.
- She has seen 24 eagles perch in the trees where the proposed houses would be located and eat from the pond.
- There are otters, egrets, blue herons, ducks, geese, and two trumpeter swans in the area.
- She was worried about construction vehicles jeopardizing the safety of trail users.
- Coyotes and deer live in the area.
- She questioned what a "green designated home" meant.
- The area would be harmed by the proposal.
- She did not find a road easement on the plat drawing. The minutes from a meeting held Sept. 15, 2003 state that a road and utility easement was provided to the city on Outlot C.
- A migratory bird permit may be required since eagles feed from the pond.
- She requested the project be scaled down.
- She wants the wildlife to stay there.
- The proposal would decrease her property value.

Alicia Copa, 18008 Powderhorn Drive, stated that:

- Since Deephaven Cove was constructed, her property has had massive flooding and she has spent thousands of dollars to install and maintain culverts.
- Her variance application to construct an addition to her house within the wetland setback was denied.
- The wildlife is amazing.
- Her property has lost half of an acre of dry, usable space because of the Deephaven Cove water redistribution.
- She was concerned the proposal would disturb the natural water runoff and cause more home and property damage.

John Coleman, 18317 Kylie Court, stated that:

- Legacy Oaks has high density, limited trees and a bland development due to a lack in the variety in colors.
- The proposal should have affordable housing.



- He requested that the conservation done for the marshes continue with this property.
- He will continue to review recorded documents for the property.
- He asked what interesting things could be done with the large piece of property on the north that the current concept plan would not change. He thought something could be done to enhance the area.

Ms. Coleman stated that the six years of construction to create Legacy Oaks scared away wildlife. She requested that the construction equipment stay on the applicant's property and not use Lindsey Lane.

Pat Montgomery, 17833 Powderhorn Drive, stated that:

- The utility ditch in the rear of his property is 30 to 40 feet wider than it was 15 years ago.
- He thinks the development of the Marshes of Meadowwood caused more stormwater to travel onto his property.
- The wetland delineator he hired said that the utility ditch was blocked in three areas. One was from beavers making a damn and two were caused by the stormwater pipes being plugged by dirt.
- The residents of Powderhorn Circle have standing water on their properties from March through August. He was concerned their properties would end up like his.
- His lot used to have .65 acres not considered wetland. Now, only the first 10 feet of property from his back door is not considered wetland.
- He was concerned that water movement that cannot be predicted or controlled would impact the residents on Powderhorn Drive more and more.
- He was concerned when the city offered him a curb and gutter at no cost.
- He opposes a street connecting with Powderhorn Drive.

No additional testimony was submitted and the hearing was closed.

Hanson confirmed with Cauley that Lindsey Lane is a public street and the proposed street in the concept plan would be public.

In response to Henry's question, Gordon explained how the Marshes of Meadowwoods is a unique conservation project that restored wetlands that were being used as a golf course and created home sites. The concept plan would only change the upland areas and not change the wetland areas of the property.

Hanson stated:

- He appreciated the presentation from the applicant and the neighborhood speakers being organized.



- Ron Clark has been a patient and flexible developer who listened to neighbors during previous projects. He values that.
- He supports making driveways wide enough for two vehicles to be parked on the driveway and still be able to open their doors.
- He encouraged the applicant to find ways for the proposal to be harmonious with its unique neighbor to the west.
- Like Chair Sewall, he is interested in learning how many units per buildable acre the site has if an application with detailed plans is submitted in the future.
- He would like to see the aesthetics of the proposed houses blending with the neighboring houses.

Waterman stated that:

- He appreciated the comments from neighbors.
- He agrees that Ron Clark Development does a good job working with neighbors and doing a high-quality project.
- There is a lot to like about the concept plan.
- The site is a large, developable piece of property.
- He supports villa-style residences that support a little more density than R-1 single-family lots to free up other housing and create natural affordability. This style of house with a size of 2,300 to 2,500 square feet would provide more affordability than what would be built on a lot zoned to meet R-1 requirements.
- He was a little concerned the residences would be too close together.
- The addition of single-floor living would be a public benefit since it is needed in the city and could justify a planned unit development (PUD). The property on the north end of the site could also be utilized to provide a public benefit.
- The proposal should complement The Marshes of Meadowwoods.
- Issues to be careful of include stormwater runoff, snow management and the water table.
- He appreciated the work already done with neighbors to agree upon buffering.
- The concept plan complies with tree protection ordinance requirements.
- He was not sure if he was comfortable with the density.

Powers stated that:

- He likes Ron Clark Development a lot.
- He thought the concept plan was too dense.
- He did not think houses that would sell for over \$1 million would qualify as a public benefit.
- Legacy Oaks was a very good project.



- He was concerned with stormwater runoff. The effects would be far-reaching.
- The ability to effectively provide stormwater management must be determined before deciding how many houses would be appropriate.

Henry stated:

- He would like to learn more about the possibility of providing effective stormwater management before commenting on other facets of the concept plan. He has full faith in each staff expert tasked with reviewing an application's stormwater management requirements.
- He appreciated the neighbors providing feedback on what is seen in the area on a day-to-day basis.
- He thanked the developer for working with the neighbors.
- The Marshes of Meadowwoods development is unique. He encouraged the applicant to preserve the environment as much as possible.
- He likes the preservation of 19 acres.
- The proposal would be too dense and the houses would be located too close together.

Maxwell stated that:

- The property is unique and provides an opportunity for the applicant to be a good steward of the beauty of Minnetonka.
- There would be too much density.
- The concept plan would have too much impervious surface in an area that already has a lot of water issues.
- She would like to see a thorough water runoff and stormwater management plan.
- She thought a two-vehicle garage might work in this case.
- She likes the extra surface parking for visitors.
- She did not think adding villa-style houses was enough of a public good to justify a PUD. The northern part of the property may be able to be utilized as a public good.

Chair Sewall stated:

- The biggest issue is water. The worst-case scenario would be for the property's stormwater runoff to stay the way it is now. The best case would be a decrease in the amount of water runoff provided by stormwater management features completed with the proposal.
- He would like the spirit of the conservation practices being done across the street applied to the proposal.
- He favors rezoning, but was not sure if there is a strong enough case to justify a PUD.



- He was more concerned with the density in relation to the number of units per buildable area. Using the entire property to calculate density is misleading.
- He encouraged the applicant to keep working with neighbors.

Chair Sewall called for a brief recess.

**B. Concept plan review for Marsh Run II Redevelopment at 11816 Wayzata Blvd.**

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

Raines reported. Staff recommends commissioners provide feedback on the key topics identified by staff and any other land-use-related items that commissioners deem appropriate. This discussion is intended to assist the applicant in the preparation of more detailed development plans.

Tony Kuechle, Doran and Co., applicant, stated that:

- The applicant plans on acquiring both properties. The concept plan only covers 11816 Wayzata Blvd. The additional acquisition would help alleviate the neighborhood's lack of parking.
- The design of the building would be similar to Birke.
- Neighbors expressed issues with a lack of parking, the mass of the building, the trail disrupting natural habitat and the number of units.
- The proposed building would be located on the existing building footprint.
- Three options were provided for exterior materials so commissioners could provide feedback on them.
- The current buildings have been deemed blighted, so the applicant would apply for TIF funds.
- The applicant is discussing with staff having 10 percent of the units meet 80 percent area-median-income (AMI) affordable-housing requirements.
- The applicant supports prohibiting parking on Fairfield Ave. The applicant is willing to cover the cost of the city adding more "no parking" signs.
- The property the applicant purchased on the east could be assigned parking from 5 p.m. to 8 a.m.
- Raines did a great job explaining the concept plan.
- He was available for questions and looked forward to receiving feedback.

Powers asked Mr. Kuechle if he would have done anything differently with the Birke project. Mr. Kuechle answered that he would double the amount of surface parking. The internal, heated, dry-visitor parking is not being used. The units maintain 96 percent occupancy.



**CITY COUNCIL JAN. 30, 2023 MEETING MINUTES****B. Concept plan for Ridgewood Road Villas located at 18116 Ridgewood Road**

City Planner Loren Gordon gave the staff report.

Schaeppi requested further information regarding the capacity of Lindsey Lane. Gordon stated Lindsey Lane was a public road and was 26 feet wide with curb and gutter. He explained the city does not allow the interior of cul-de-sacs to be landscaped anymore, which was done on Lindsey Lane and Kylie Court.

Kirk asked if the north part of this parcel could be developed. Gordon stated he did not believe there was any opportunity to develop the property to the north.

Coakley questioned how common shared driveways were in Minnetonka. Gordon reported the city encourages public roadways for residential access, but noted private connections were also allowed for three driveways.

Kirk inquired what part of the development was public street and which part was private. Gordon reviewed the areas of the development that public and private.

Calvert asked how the affordable housing policy would apply to this development. Community Development Director Julie Wischnack reported the city's affordable housing policy applied to developments that had 10 or more attached units. She explained this development does not have attached units and therefore does not apply.

Wiersum stated he remembered when Lindsey Lane and Kylie Court developed. He understood this area was quite low and questioned if there were concerns with poor soils and the hydrology of this area. Gordon stated the area where the homes are planned was upland.

Wiersum questioned what the public purpose was for this development. Gordon stated this was a fair question that has been posed to the developer. He recommended the developer speak to this further.

Mike Waldo, Ron Clark Construction, thanked the council for their time and consideration. He explained his expectation was that the street coming up to the cul-de-sac would be public and anything to the north would be private. He reported this development would have an HOA which would assist with the yard



maintenance and snow removal. He reported full wetland delineation and soil borings have been completed on this property. He stated 6.1 of the 24 acres was upland. He indicated he would not be filling in any wetlands for this development. He commented further on the type of units this development would include. He reported he would be meeting or exceeding the city's tree ordinance. He explained he would be working to pursue HERZ ratings on the homes within this development.

Kirk questioned how many parcels were included in this development. Mr. Waldo reported his property includes two parcels. He stated the property to the north was owned by the city.

Kirk requested the developer report back to the council with further information on the density and size of the homes that would be constructed within this development.

Wiersum opened the meeting for public comment.

Jay Jenson, 4209 Lindsey Lane, explained he submitted a list of questions for the developer. He indicated he was concerned about protecting the environment and discussed how his neighborhood works diligently to protect the environment so as to reduce the impact on the ponds. He stated he was concerned with how this new neighborhood would interface with the existing homes. He reported he was concerned with how the construction equipment and grading would impact his ponds. He asked that further tree preservation be considered along Lindsey Lane or that a buffer be replanted with pine trees. He suggested further consideration be made on how water would flow into his neighborhood from this development. He recommended rain gardens be added to the yards. He suggested Ron Clark Construction put in place many of the environmental protection measures that his neighborhood had in place in order to reduce the impact on the surrounding property and wetlands.

Mary Ann Coleman, 18317 Kylie Court, stated she understands Ron Clark was a good builder. However, she was against the proposed development. She discussed how unique her development was and stated she believed the proposed development was too dense. She discussed how the new homes, driveways and streets would flood Powderhorn and her neighborhood. She commented on the natural springs that were located in the pond behind her home. She explained she was shocked by the proposed development and noted she did not want a road going through the development on Outlot C. She discussed the roadway easement that was in place in her neighborhood and how this easement would adversely impact her neighborhood. She reported previous



developers had tried to come in and develop this property, but have been unsuccessful. She begged the city to work with the neighbors in order to reduce the density within the proposed development. She encouraged the developer to keep as many trees as possible in order to reduce the impact on the eagle and trumpeter swan populations.

John Coleman, 18317 Kylie Court, reported he believed the proposed development was too dense. He asked who would take care of the property to the north and asked what the stewardship plan would be for the lake. He explained he was concerned with how this development would adversely impact the lake. While he understood this development did not have to match the existing neighborhood, he would like to see it blending in more with the existing neighborhood. He challenged the developer to build several affordable houses within this development, noting this was done within his neighborhood. He suggested the developer make a serious investment in trees in order to shield the development from oncoming traffic and headlight wash. He discussed how construction traffic and construction noise would impact the adjacent neighbors and requested the developer be considerate.

Joe Boyer, 4218 Lindsey Lane, discussed the topography and flood zone for this property. He explained he lives in the Purgatory Creek wetland water flow area. He commented on the amount of water that would flow through his neighborhood from one inch of rainfall. He indicated this neighborhood was surrounded by water and he would like further consideration to be given on how this development would impact the watershed. He was of the opinion this development was too dense and should be reconsidered so as not to adversely impact the ponds and lake. He reported the developer property was a flag lot that had no access unless granted an easement by the city. He encouraged the city to deny access in order to protect the trees, wetlands and land.

Pat Montgomery, 17833 Powderhorn Drive, stated he was concerned with how the natural flow of water would be impacted if this property was developed. He anticipated Powderhorn Drive and his property would be flooded. He reported his neighbors were being inundated with water runoff as the water table rises.

Wiersum closed the meeting for public comment.

Schaeppi stated he was familiar with this property, noting his wife's family lived in this neighborhood. He commented on the changing elevations in this neighborhood. He thanked the neighbors for coming forward and sharing their concerns. He anticipated the city had a history with this developer and could investigate his track record with previous developments.



Kirk thanked all of the neighbors who got up to share their concerns. He discussed the next steps for this project and noted the city has worked with Ron Clark in the past. He stated he appreciated how patient Mr. Waldo has been with the planning commission and city council in the past. He explained the city does not approach projects in a manner that holds one developer to the same covenants as another development. He explained he was concerned about the proposed density within this development. He stated he wanted to be confident the engineering, stormwater and hydrology would be properly addressed within this project. He stated he would like to have more information regarding the parking that was available based on the number of housing units to see if the neighborhood was under parked. He anticipated the project was too dense for him to offer his support.

Calvert stated she has appreciated working with Ron Clark in the past and how patiently they work with neighbors. She encouraged Ron Clark to live up to their reputation and to take the comments from the neighbors to heart. She reported this project was being proposed as a PUD and while she was seeing private good, she was failing to see the public good. She explained she had concerns with where snow would be stored and where visitors would park, especially during in the winter months. She appreciated the fact the developer was proposing one story villas because this was a much needed housing type in Minnetonka. It was her hope that any project developed on this property would improve and not hinder the stormwater management on the site. She encouraged the developer to take into consideration the practices at the Marshes and to minimize the impact on the wildlife and trees. She discussed how weather patterns were changing and indicated the developer would have to properly address the stormwater runoff on this property to ensure the neighboring properties were not impacted. Lastly, she encouraged the developer to reduce the density.

Coakley reported this development was taking up a great deal of space with the homes. She stated she had concerns with the amount of traffic that would be coming in and out of the development. She indicted she was also concerned with the proposed alignment of the public and private roadways. She explained she was also concerned with how water runoff would impact the neighboring properties.

Wiersum stated this is a challenging site. He commented on how weather patterns were changing and that properties would have to be prepared for



**Meeting of January 30, 2023**

extremes. He explained he was concerned about the neighbor's comments and the changes they have seen over the years. He supported the city building in more resilience when consider new developments. He encouraged the developer to reconsider the density and to have more shared driveways in order to reduce the impact on this sensitive property.



**B. Items concerning Ridgewood Ponds at 18116 Ridgewood Road, and an adjacent unaddressed parcel**

City Planner Loren Gordon gave the staff report.

Kirk asked if the full legal right of way on the outlot had been cleared up. He understood the outlot was not part of the parcel. He questioned if the tree ordinance counted the trees on the outlot or just the developable parcel. He discussed the density of this development and stated the city may have to adjust the way it thinks about density. He was of the opinion this project was quite dense.

Calvert commented on a statement within the environmental services regarding the disturbed graded buffer area noting it would be reseeded with native seed. She asked why the buffer area would be mowed. Gordon explained this was a management strategy for the buffer and noted staff would further investigate if this was the right approach.

Schaeppi asked if the Arrowhead Trail homes would be blocked by trees on the site. Gordon stated staff could include these homes if this was the recommendation of the council.

Schaeppi supported staff taking this action.

Calvert recommended the treatment of the wetland and the buffers be further explored by the planning commission. While she had concerns about the number of units, she would be willing to explore this project further.

Kirk suggested the long narrow driveway be further considered.

Wiersum stated he was struggling with understanding the public purpose within this PUD. He noted he reviewed the fire maps and he was concerned with how private drives were added onto long cul-de-sacs. He questioned if sprinkler systems should be required in new homes given the proposed road layout.

Kirk moved, Schack seconded a motion to introduce the ordinance and approve or modify the notification area adding the homes on the western side of Arrowhead Trail. All voted "yes." Motion carried.

**13. Public Hearings:**

**A. Temporary on-sale liquor license for Episcopal Parish of St. David, 13000 St. David's Road**

Community Development Director Julie Wischnack gave the staff report.



## **Ordinance No. 2023-**

### **An ordinance approving a rezoning from R-1, low density residential, to PUD, planned unit development and adopting a master development plan for the properties at 18116 Ridgewood Road, an adjacent, unaddressed parcel**

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The City Of Minnetonka Ordains:

#### Section 1. Background

- 1.01 The subject property is located at 18116 Ridgewood Road and an adjacent, unaddressed parcel. The property is legally described on Exhibit A.
- 1.02 Ron Clark Construction is requesting rezoning from R-1, low density residential, to PUD, planned unit development and a master development plan for the subject property. The amendment would allow for the construction of 13, villa-style residential homes.

#### Section 2.

##### 2.01 Approval is based on the following findings:

1. The rezoning would result in greater preservation of existing natural resources, in number or quality, than would otherwise be provided under non-PUD development;
2. The rezoning would result in a housing type that is desirable to the city;
3. The rezoning would result in greater preservation of existing natural resources and other public benefits as recognized by the city; and
4. The rezoning would result in a greater energy conservation through building and site design than would otherwise be achieved under non-PUD development.

##### 2.02 This ordinance is subject to the following conditions:

1. The site must be developed and maintained in substantial conformance with the following plans unless modified by the conditions below:



- Site plan dated May 31, 2023
- Grading plan dated June 14, 2023
- Utility plan dated June 14, 2023
- Landscaping plan dated June 21, 2023
- Tree preservation plan dated June 21, 2023

Together with the project description outlined in 1.03 of this ordinance, the above plans are hereby adopted as the master development plan for the site.

2. The development must further comply with all conditions outlined in City Council Resolution No. 2023-XXX, Preliminary Plat Approval, adopted by the Minnetonka City Council on July 17, 2023

Section 4. A violation of this ordinance is subject to the penalties and provisions of Chapter XIII of the city code.

Section 5. This ordinance is effective immediately.

Adopted by the City Council of the City of Minnetonka, Minnesota, on July 17, 2023.

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Brad Wiersum, Mayor  
Attest:

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Becky Koosman, City Clerk

**Action on this ordinance:**

Date of introduction: May 1, 2023

Date of adoption:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

Absent:

Ordinance adopted.

Date of publication:



I certify that the foregoing is a correct copy of an ordinance adopted by the city council of the City of Minnetonka, Minnesota at a regular meeting held on July 17, 2023.

---

Becky Koosman, City Clerk



Exhibit A  
**PROPERTY DESCRIPTION**

The following description was provided in CHB Title LLC Insurance Company Commitment No. 57293 which has an effective date of October 19, 2022 at 7:00 A.M.

Parcel 1:

All that part of the East 1/2 of the Southwest 1/4 of the Southeast 1/4 of Section 19, Township 117, Range 22, which lies North of the center line of the Town Road, (Ridgewood Road) as now laid out and traveled, said tract of land being more particularly described as follows: Commencing at the Northwest corner of the East 1/2 of the Southwest 1/4 of the Southeast 1/4 of Section 19, Township 117, Range 22; thence Southerly along the West line of said East 1/2 of the Southwest 1/4 of the Southeast 1/4, a distance of 241.5 feet, more less, to the center line of the Town Road. (Ridgewood Road); thence Easterly along the centerline of said Town Road (Ridgewood Road) to the East line of said East 1/2 of the Southwest 1/4 of the Southeast 1/4; thence Northerly along said East line of the East 1/2 of the Southwest 1/4 of the Southeast 1/4, a distance of 325.45 feet, more or less, to the Northeast corner of said East 1/2 of the Southwest 1/4 of the Southeast 1/4; thence Westerly along the North line of said East 1/2 of the Southwest 1/4 of the Southeast 1/4 to the point of beginning.

AND

Parcel 2:

The East 1/2 of the Northwest 1/4 of the Southeast 1/4 of Section 19, Township 117, Range 22, Hennepin County, Minnesota.  
Abstract Property



**Resolution No. 2023-**

**Resolution approving the preliminary plat of RIDGEWOOD PONDS at 18116 Ridgewood Road and an adjacent, unaddressed parcel**

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

Section 1. Background.

- 1.01 Ron Clark Construction has requested preliminary plat approval for RIDGEWOOD PONDS, a 13-lot subdivision. (Project 22031.23a).
- 1.02 The property is located at 18116 Ridgewood Road and an adjacent, unaddressed parcel. It is legally described in Exhibit A of this resolution.
- 1.03 On July 6, 2023, the Planning Commission held a hearing on the proposed plat. The applicant was provided the opportunity to present information to the Planning Commission. The Planning 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 grant preliminary plat approval.

Section 2. General Standards.

- 2.01 City Code §400.030 outlines general design requirements for residential subdivisions. These standards are incorporated by reference into this resolution.

Section 3. Findings.

- 3.01 The proposed preliminary plat meets the design requirements as outlined in City Code §400.030.

Section 4. Council Action.

- 4.01 The above-described preliminary plat is hereby approved, subject to the following conditions:



1. Final plat approval is required. A final plat will not be placed on a city council agenda until a complete final plat application is received.
  - a) The following must be submitted for a final plat application to be considered complete:
    - 1) A final plat drawing that clearly illustrates the following:
      1. A minimum 10-foot wide drainage and utility easement adjacent to the public right-of-way(s) and minimum 7-foot wide drainage and utility easements along all other lot lines.
      2. Utility easements over existing or proposed public utilities, as determined by the city engineer.
      3. Drainage and utility easements over wetlands, floodplains, and stormwater management facilities, as determined by the city engineer.
    - 2) Documents for the city attorney's review and approval. These documents must be prepared by an attorney knowledgeable in the area of real estate.
      1. Title evidence that is current within thirty days before the release of the final plat.
      2. Conservation easements over all the wetland buffer areas and a drawing of the easements. The easement may allow the removal of hazardous, diseased, or invasive species. The easement language must include an allowance for the proposed boardwalk and maintenance.
      3. A private driveway, access, and utility easement between the public right-of-way and Lots 11, 12 and 13. The easement must state the maintenance responsibilities of each owner.
      4. Documents establishing a homeowners' association. The association must be responsible for maintaining any common areas, common drives, maintenance of the public trail and overlook, parking stall striping and maintenance, required drainage ponding and any other required drainage improvements approved by the city. Maintenance will include, but not be limited to, the periodic



- removal of sedimentation at the base of the pond and any adjacent drainage ditches, keeping a vegetative cover within the ditches and pond, and removing any blockage of the swale or culvert that may impede the drainage of the site, as approved with the building permits.
5. A Contract for Residential Development (or Developers Agreement). This agreement must guarantee that the developer will complete all public improvements and meet all city requirements.
  6. Submit a stormwater maintenance agreement in the city approved format for review and approval of city staff.
  7. Submit a private hydrant maintenance agreement in the city approved format for review and approval by city staff.
2. Prior to final plat approval:
    - a) This resolution must be recorded with Hennepin County.
    - b) The documents outlined in section 4.01(1)(a)(2) above must be approved by the city attorney.
  3. Prior to the release of the final plat for recording:
    - a) Submit the following:
      - 1) Two sets of mylars for city signatures.
      - 2) An electronic CAD file of the plat in microstation or DXF.
      - 3) Park dedication fee of \$60,000. Based on the city's adopted capital improvement program, there are 8.35 miles identified of missing trail connections in the southwest quadrant of the city. This park dedication fee is the result of the determination that the specific development would directly impact surrounding park and recreational facilities within the community and therefore necessitates access, acquisition and improvements to those facilities.
  4. Subject to staff approval, RIDGEWOOD PONDS must be developed and



maintained in substantial conformance with the following plans, except as modified by the conditions below:

#### Comparisons

- Site plan dated May 31, 2023
  - Grading plan dated June 14, 2023
  - Utility plan dated June 14, 2023
  - Landscaping plan dated June 21, 2023
  - Tree preservation plan dated June 21, 2023
5. A site development is required. This permit will cover demolition, grading, installation of sewer, water, and stormwater facilities, and construction of the public street:
- a) Unless authorized by city staff, no site work – including tree removal – may begin until a complete site development permit application has been submitted, reviewed by staff, and approved.
  - b) The following must be submitted for the site development permit to be considered complete.
    - 1) Electronic plans and specifications submitted through the city's electronic permit and plan review system.
    - 2) Final site, grading, drainage, utility, landscape, and tree mitigation plans, and a stormwater pollution prevention plan (SWPPP) for staff approval.
      - a. Final site plan must:
        - Remove the private fire hydrant by Lot 13 if not required. An additional private hydrant maintenance agreement is required if the hydrant is needed.
        - A minimum 25-foot wetland buffer must be maintained between the wetland and the proposed trail connection.
        - The trail cannot be wider than the existing driveway.
        - The DNR will establish the ordinary high water level of the large wetland. The boardwalk will be regulated by the DNR if it



is below the established ordinary high water level.

- Remove the note "new wetland buffer credit" from the site plan, as it does not apply to the city review.
- b. Final grading plan must:
- The old curb cut on Ridgewood Drive must be removed and replaced with B612 curbing, the trail must also be replaced to match the curb line.
- c. Final drainage plan must
- The southwest basin located in the northeast corner of the development cannot be located in the conservation easement or wetland buffer.
- d. Final utility plan must:
- The private utilities that extend beneath the shared private drive and driveway must be designed in accordance with the MN Plumbing Code.
  - Review and adjust sewer alignments as much as possible to make the upstream and downstream pipe angles of MH 2 no less than 90 degrees.
  - Provide profile views for the sanitary sewer, watermain and storm sewer.
  - Identify sewer and water service locations.
  - Install a tee and gate valve instead of a wet tap with a gate valve at the connection to the public watermain and add a gate valve on the north leg of the tee.
  - Include individual sewer and water services to Lots 11, 12 and 13 (private drive lots) unless approved otherwise by the city's engineering department.



- e. Final stormwater management plan. The plan must demonstrate conformance with the following criteria:
- Rate. Limit peak runoff flow rates to that of existing conditions from the 2-, 10-, and 100-year events at all points where stormwater leaves the site.
  - Volume. Provide for onsite retention of 1.1 inches of runoff from the entire site's impervious surface.
  - Quality. Provide for all runoff to be treated to at least 60 percent total phosphorus annual removal efficiency and 90 percent total suspended solid annual removal efficiency.
- f. Final landscaping plan. The plan must:
- Meet minimum landscaping and mitigation requirements as outlined in the ordinance. Note only small shrubs, perennials, and grasses may be located in public easements.
  - Not include any trees within the public right-of-way. Newly planted deciduous trees must be located at least 15 feet from the pavement edge, and coniferous trees at least 20 feet from the pavement edge.
  - No plantings are permitted within the drainage and utility easement.
  - Remove proposed trees from the Ridgewood Road right-of-way near the old driveway connection.
  - No irrigation can be placed within the conservation easement.
  - All plants and seeds within the conservation easement, unless used for a cover crop, must be native.



- Trees must not be located over sewer and water service locations.
- g. 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.
- 3) A utility exhibit. The exhibit must show only property lines, sewer, water, storm sewer, and underground stormwater facilities. The exhibit must clearly note which facilities are public and which are private.
- c) Prior to issuance of a site development permit
- 1) Evidence of filing the final plat at Hennepin County and copies of all recorded easements.
- 2) Submit the following documents and items:
- a. A construction management plan. The plan must be in a city approved format and must outline minimum site management practices and penalties for non-compliance.
  - b. A MPCA Sanitary Sewer Extension permit or documentation that such permit is not required.
  - c. A MDH permit for the proposed watermain or documentation that a permit is not required.
  - d. A MPCA NPDES permit.
  - e. A WCA Exemption for the post footings of the boardwalk.
  - f. A five-year restoration plan for the wetland at the center of the site. This plan must:
    - Vegetation management
    - Not alter the wetland type.
    - Include an escrow to be released after five years of monitoring reports are submitted to staff for review and approval.



- WCA No-loss application is required.
- g. Evidence of closure/capping of any existing wells, septic systems, and removal of any existing fuel oil tanks.
- h. All required administration and engineering fees.
- i. Evidence that an erosion control inspector has been hired to monitor the site through the course of construction. This inspector must provide weekly reports to natural resource staff in a format acceptable to the city. At its sole discretion, the city may accept escrow dollars, in amount to be determined by natural resources staff, to contract with an erosion control inspector to monitor the site throughout the course of construction.
- j. Individual letters of credit or cash escrow for 125% of a bid cost or 150% of an estimated cost to construct streets and utility improvements, comply with the grading permit, wetland restoration, tree mitigation requirements, and to restore the site. One itemized letter of credit is permissible if approved by staff. The city will not fully release the letters of credit or cash escrow until (1) as-built drawings have been submitted; (2) a letter certifying that the streets and utilities have been completed according to the plans approved by the city has been submitted; (3) vegetated ground cover has been established; and (4) required landscaping or vegetation has survived one full growing season.
- k. Cash escrow in an amount be determined by city staff. 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.
  - l. Hold a preconstruction meeting with site contractors and city planning, engineering, public works, and natural resources staff. The meeting may not be held until all items required under 4.01 Subd.5(b) and Subd.4(c) of this resolution have been submitted, reviewed by staff, and approved.
  - m. Install a temporary rock driveway, erosion control, tree and wetland protection fencing and any other measures identified on the SWPPP for staff inspection. These items must be maintained throughout the course of construction.
  - n. Permits may be required from other outside agencies, including Hennepin County, the Riley-Purgatory Bluff Creek Watershed District, and the MPCA. It is the applicant's and/or property owner's responsibility to obtain any necessary permits.
6. Prior to the issuance of a building permit for the first new house within the development, submit the following documents:
- a) A letter from the surveyor stating that boundary and lot stakes have been installed as required by ordinance.
  - b) Proof of subdivision registration and transfer of NPDES permit.
7. Prior to issuance of a building permit for any of the lots within the development:
- a) Submit the following items for staff review and approval:
    - 1) Submit a letter from the surveyor stating that the boundary and lot stakes have been installed as required by the ordinance.
    - 2) A construction management plan. This plan must be in a city approved format and outline minimum site management practices and penalties for non-compliance. If the builder is the same entity doing grading work on the site, the construction management plan submitted at the time of grading permit may fulfill this requirement.



- 3) Final grading and tree preservation plan for the lot. The plans must:
  - a. Be in substantial conformance with the plans outlined above unless approved by city staff.
  - b. Show sewer and water services to minimize impact to any significant or high-priority trees.
  - c. Meet minimum mitigation requirements as outlined in the ordinance. However, at the sole discretion of staff, mitigation may be decreased.
  
- 4) Cash escrow in an amount to be determined by city staff. 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 following:
  - 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.

If the builder is the same entity doing grading work on the site, the cash escrow submitted at the time of grading permit may fulfill this requirement.
  
- 5) An electronic CAD file or certified as-built drawings for public infrastructure in microstation or DXF and PDF format.
  - b) Install a temporary rock driveway, erosion control, tree and wetland protection fencing and any other measures identified on the SWPPP for staff inspection. These items must be maintained throughout the course of construction.
  - c) Install heavy-duty fencing, which may include chain-link fencing, at the conservation easement. This fencing must be maintained throughout the course of construction.
  - d) Submit all required hook-up fees.



8. All lots and structures within the development are subject to the following:
  - a) Minimum floor elevation is 898.3 feet unless the wetland depth is lowered.
  - b) All lots within the development must meet all minimum access requirements as outlined in Minnesota State Fire Code Section 503. These access requirements include road dimension, surface, and grade standards. The houses on Lots 11, 12 and 13 must be protected with a 13D automatic fire sprinkler system or an approved alternative system.
9. The parking stalls must be maintained (plowing, striping, etc.) by the homeowner's association.
10. The city may require the installation and maintenance of signs which delineate the edge of any required conservation easement. This signage is subject to the review and approval of city staff.
11. During construction, the streets must be kept free of debris and sediment.
12. The property owner is responsible for replacing any required landscaping that dies.
13. The city must approve the final plat within one year of the preliminary approval or receive a written application for a time extension, or the preliminary approval will be void.

Adopted by the City Council of the City of Minnetonka, Minnesota, on July 17, 2023.

---

Brad Wiersum, Mayor

Attest:

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Becky Koosman, City Clerk



Action on this resolution:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

Absent:

Resolution adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Minnetonka, Minnesota, at a duly authorized meeting held on July 17, 2023.

---

Becky Koosman, City Clerk



**Exhibit A****PROPERTY DESCRIPTION**

The following description was provided in CHB Title LLC Insurance Company Commitment No. 57293 which has an effective date of October 19, 2022 at 7:00 A.M.

Parcel 1:

All that part of the East 1/2 of the Southwest 1/4 of the Southeast 1/4 of Section 19, Township 117, Range 22, which lies North of the center line of the Town Road, (Ridgewood Road) as now laid out and traveled, said tract of land being more particularly described as follows: Commencing at the Northwest corner of the East 1/2 of the Southwest 1/4 of the Southeast 1/4 of Section 19, Township 117, Range 22; thence Southerly along the West line of said East 1/2 of the Southwest 1/4 of the Southeast 1/4, a distance of 241.5 feet, more less, to the center line of the Town Road. (Ridgewood Road); thence Easterly along the centerline of said Town Road (Ridgewood Road) to the East line of said East 1/2 of the Southwest 1/4 of the Southeast 1/4; thence Northerly along said East line of the East 1/2 of the Southwest 1/4 of the Southeast 1/4, a distance of 325.45 feet, more or less, to the Northeast corner of said East 1/2 of the Southwest 1/4 of the Southeast 1/4; thence Westerly along the North line of said East 1/2 of the Southwest 1/4 of the Southeast 1/4 to the point of beginning.

AND

Parcel 2:

The East 1/2 of the Northwest 1/4 of the Southeast 1/4 of Section 19, Township 117, Range 22, Hennepin County, Minnesota.  
Abstract Property