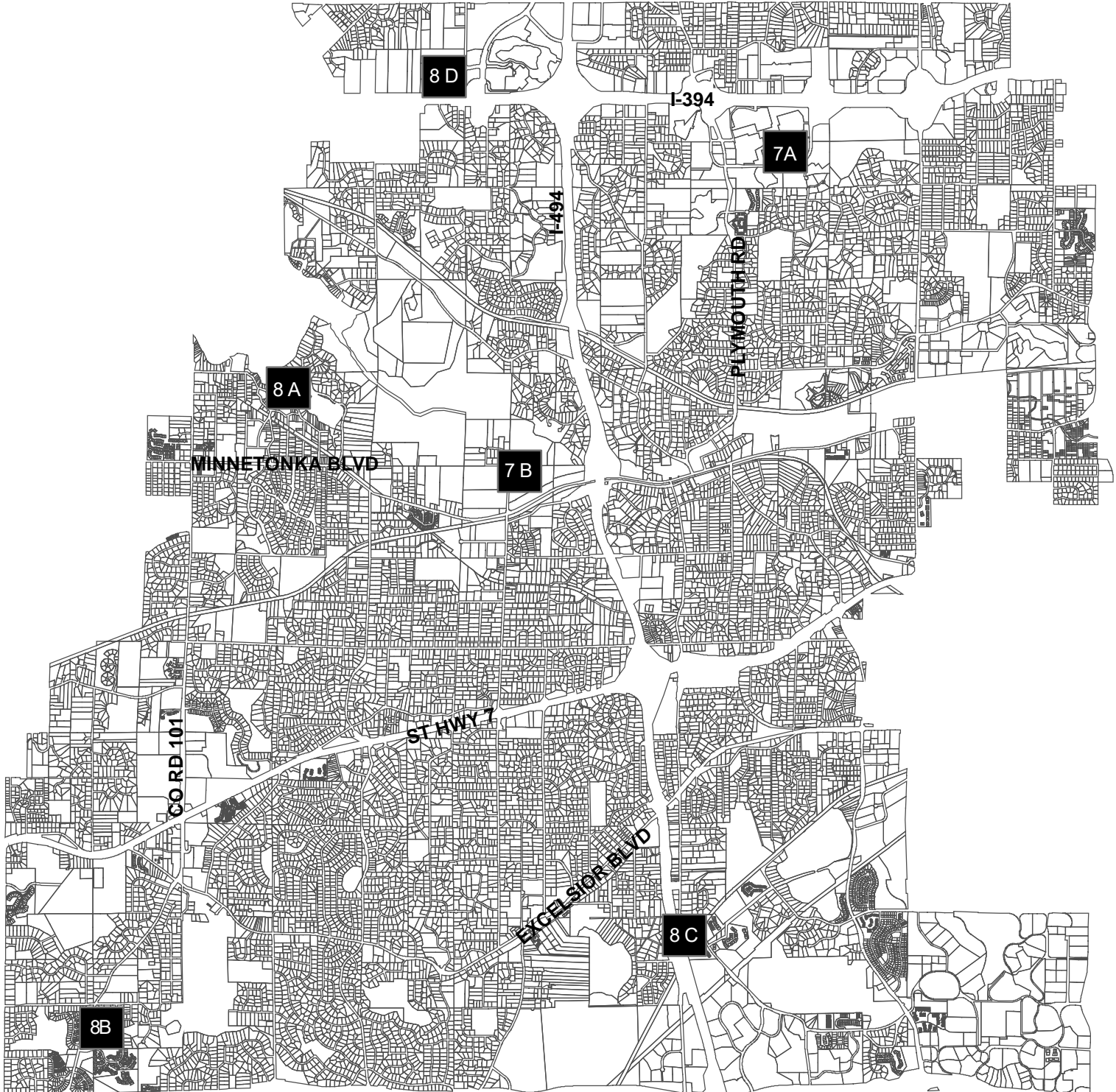




CITY OF
MINNETONKA

CITY OF MINNETONKA
PLANNING COMMISSION
Sept. 7, 2023

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





**Planning Commission Agenda
Sept. 7, 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: Aug. 17, 2023

5. Report from Staff

6. Report from Planning Commission Members

7. Public Hearings: Consent Agenda Items

- A. Preliminary plat of RIDGEDALE CENTER ELEVENTH ADDITION located at 12431 Wayzata Blvd.

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

- To City Council (Sept. 18, 2023)
- Project Planner: Susan Thomas

- B. Sign plan amendment for Minnetonka Civic Center Campus at 14600 Minnetonka Blvd.

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

- Final decision subject to appeal
- Project Planner: Loren Gordon

8. Public Hearings: Non-Consent Agenda Items

- A. Shoreland setback and the maximum impervious surface variance at 16901 Grays Bay Blvd.

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

- Final decision subject to appeal
- Project Planner: Bria Raines

Planning Commission Agenda

Sept. 7, 2023

Page 2

- B. Ordinance rezoning the property at 18393 Covington Road from R-1, low-density residential, to R-4, medium-density residential.

Recommendation: Recommend the city council adopt the ordinance (4 votes).

- To City Council (Sept. 18, 2023)
- Project Planner: Susan Thomas

- C. Ordinance rezoning the properties at 5501 Baker Road and 5432 Rowland Road from R-1, low-density residential, to R-2, low-density residential.

Recommendation: Recommend the city council adopt the ordinance (4 votes).

- To City Council (Sept. 18, 2023)
- Project Planner: Susan Thomas

- D. Items concerning Walser Kia at 15700 and 15724 Wayzata Blvd.

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

- To City Council (Sept. 18, 2023)
- Project Planner: Susan Thomas

9. Adjournment

Planning Commission Agenda

Sept. 7, 2023

Page 3

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 scheduled for the Sept. 28, 2023 agenda.

Project Description	MidCountry Bank – Multiple Items
Project Location	14617 Hwy 7
Assigned Staff	Bria Raines
Ward Councilmember	Kissy Coakley, Ward 4

Project Description	EKA Sports – CUP
Project Location	15314 Minnetonka Industrial Rd
Assigned Staff	Bria Raines
Ward Councilmember	Bradley Schaeppi, Ward 1

Project Description	Big River Real Estate – SBP
Project Location	11501 K-Tel Dr
Assigned Staff	Bria Raines
Ward Councilmember	Brian Kirk, Ward 1

Project Description	Noonan Residence – EXP
Project Location	2492 Banta Point Rd
Assigned Staff	Susan Thomas
Ward Councilmember	Bradley Schaeppi, Ward 1

**Unapproved
Minnetonka Planning Commission
Minutes**

Aug. 17, 2023

1. Call to Order

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

2. Roll Call

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

Staff members present: City Planner Loren Gordon, Assistant City Planner Susan Thomas and Senior Planner Ashley Cauley.

3. Approval of Agenda

Waterman moved, second by Maxwell, to approve the agenda as submitted with modifications provided in the change memo dated Aug. 17, 2023.

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

4. Approval of Minutes: Aug. 3, 2023

Powers moved, second by Banks, to approve the Aug. 3, 2023 meeting minutes as submitted.

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

5. Report from Staff

Gordon briefed the commission on land use applications considered by the city council at its meeting on Aug. 14, 2023:

- Adopted a resolution and an ordinance approving items concerning Ridgewood Ponds, an 11-lot subdivision at 18116 Ridgewood Road and an adjacent, unaddressed parcel.
- Reviewed a concept plan for Roers Companies proposing a 152-unit apartment building at 1000 Parkers Lake Road.
- Introduced an ordinance rezoning the property at 18393 Covington Road from low-density residential to medium-density residential.

The annual city tour for councilmembers and commissioners will take place Aug. 31, 2023.

The next planning commission meeting is scheduled to be held Sept. 7, 2023.

6. Report from Planning Commission Members

Chair Sewall and his family enjoyed their visit to Ridgedale Commons Park. Powers stated that the park works well for the Farmer's Market.

7. Public Hearings: Consent Agenda

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

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

A. Front yard setback variance for a front porch addition at 4130 St. Marks Drive.

Adopt the resolution approving a front yard setback variance for a front porch addition at 4130 St. Marks Drive.

B. Side yard setback variance for an addition at 5434 Williston Road.

Adopt the resolution approving a side yard setback variance for an addition at 5434 Williston Road.

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

8. Public Hearings

A. Site and building plan review with a setback variance for an accessory structure on an unaddressed property south of the Cargill property at 15407 McGinty Road West.

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

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

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

Chair Sewall felt that the proposal was very reasonable.

Powers moved, second by Banks, to adopt the resolution approving site and building plans with a setback variance for an accessory structure at 15407 McGinty Road West and an adjacent, unaddressed parcel.

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

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

9. Adjournment

Powers moved, second by Waterman, to adjourn the meeting at 6:48 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
Sept. 7, 2023

Brief Description Preliminary plat of RIDGEDALE CENTER ELEVENTH ADDITION located at 12431 Wayzata Blvd.

Recommendation Recommend the city council approve the proposal.

Background

Ridgedale Shopping Center is comprised of seven parcels, with an additional four parcels - Ridgedale restaurants, Firestone, Avidor and Ridgedale Commons park.

The subject property is roughly 15 acres in size and is the southernmost mall parcel. The parcel includes roughly a 205,000 sq. ft. of space connected to the mall property, which was formerly occupied by Sears. In 2021, the city approved several land use-related items to allow Dick's House of Sport and two future tenants within the space. Subsequent approvals allowed Planet Fitness to occupy one of the tenant spaces. The property also includes an outbuilding formerly occupied by Sears Auto.



The 2021 approvals included a parking lot and pedestrian and landscaping improvements around the mall building. No changes to the former Sears Auto building or the immediately adjacent site were proposed at that time.

Proposal

Kimley Horn & Associates are proposing to subdivide the property into two separate parcels. The proposed subdivision would provide a separate parcel for the former Sears Auto Center in the southeast corner of the mall property.

As proposed, Lot 1 would be roughly 12 acres in size and would include the mall and surrounding parking lot area.



Lot 2 would be roughly three acres and would include the former Sears Auto building and surrounding parking lot.

The proposal includes (1) a preliminary plat and (2) a vacation of an existing drainage and utility easement. The proposal does not include construction of new buildings, addition to existing buildings or any other site improvements.

Staff Analysis

Staff finds that the applicant's proposal is reasonable:

- The subdivision would allow for individual ownership of two separate buildings and would not change the physical development of the site.
- The proposed subdivision would not include any building expansion or site improvements. Future development or tenant improvements would be subject to the master development plan requirements.
- The proposal meets all of the city's subdivision requirements.

Staff Recommendation

Recommend that the city council adopt the resolution approving RIDGEDALE ELEVENTH ADDITION, a two-lot subdivision at 12431 Wayzata Blvd.

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

Supporting Information

Surrounding Land Uses

	North	East	South	West	Subject property
Use	Ridgedale Mall	Hotel	YMCA and Avidor	Parking lot and park	Ridgedale Mall, parking lot and freestanding building
Zoning	PID	PID	R-1 and PUD	PID	PID
Guide Plan Designation		Mixed Use	Mixed Use	Mixed Use	Mixed Use

Park Dedication

Park dedication fees are collected at the time of property subdivision to facilitate adequate provision of and access to park and recreational facilities within the city. The park dedication fee for commercial properties is \$8,000 an acre.

The city approved the RIDGEDALE CENTER TENTH ADDITION plat in 2018 as part of the Avidor Apartments project. The plat also dedicated the 1.31 acres that became Ridgedale Commons.

The park land dedicated exceeded the city’s minimum park dedication requirements by approximately \$250,000 of land value. The park dedication credit was divided between J.C. Penny and General Growth Properties (now Brookfield). In 2019, J.C. Penny requested to reassign the park dedication credits of its property to the Brookfield Companies property.

The required park dedication under the applicant’s proposal is \$23,280 (2.91 acres x \$8,000/ac). This leaves a remaining park dedication credit for the Brookfield property of \$226,720.

Neighborhood Comments

The city sent notices to 11 area property owners and received no written comments to date.

Commission Action

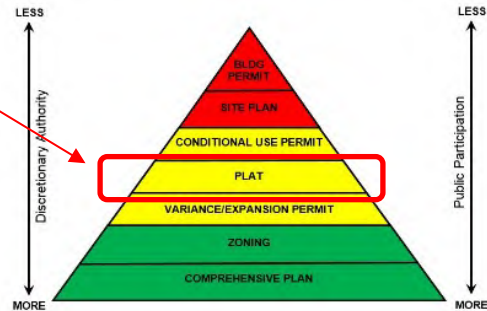
The planning commission will make a recommendation to the city council; a recommendation requires a majority vote of the commission. The planning commission has the following options:

1. Concur with staff’s recommendation. In this case, a motion should be made recommending the city council approve the subdivision.

2. Disagree with staff's recommendation. In this case, a motion should be made recommending the city council deny the subdivision. The motion must 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

This proposal:

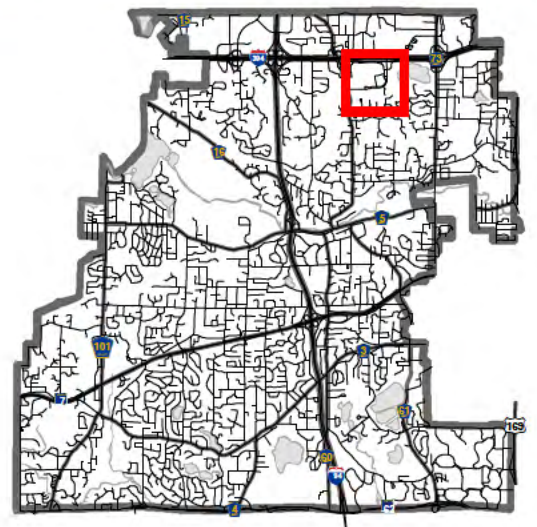


Deadline for Action Oct. 15, 2023



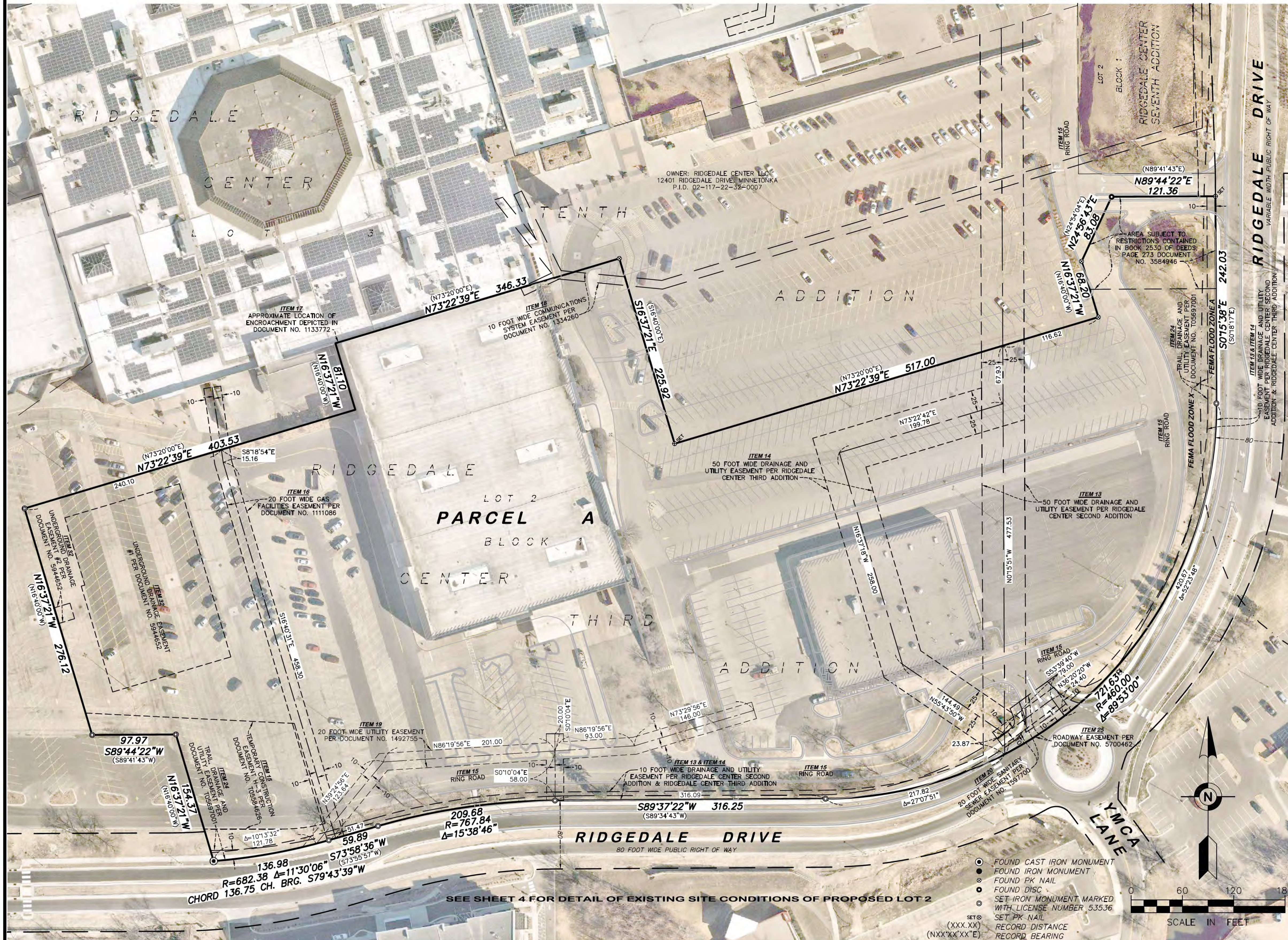
Location Map

Project: Ridgedale Center 11th Addn
Address: 12431 Wayzata Blvd



EXISTING SITE CONDITIONS

**PRELIMINARY PLAT OF:
RIDGEDALE CENTER ELEVENTH ADDITION**



LEGAL DESCRIPTION OF PARENT PARCEL:

Parcel A:
Lot 2, Block 1, Ridgedale Center Third Addition, Hennepin County, Minnesota.
(Certificate of Title No. 1469396)

Parcel B:
Non-exclusive easements as contained in the Operating Agreement for Ridgedale Shopping Center, dated January 22, 1973, recorded January 31, 1973, in the office of the Hennepin County Registrar of Titles as Doc. No. 1060798, as amended by the First Amendment to Operating Agreement, dated May 29, 1974, recorded June 17, 1974, as Doc. No. 1110631, the Second Amendment to Operating Agreement, dated October 22, 1974, recorded November 13, 1974, as Doc. No. 1125335, the Confirmation Agreement, dated October 1, 1975, recorded March 16, 1977, as Doc. No. 1212336, and the Third Amendment to Operating Agreement, dated December 21, 2016, recorded December 26, 2016, as Doc. No. T05584626.

PROPOSED LEGAL DESCRIPTIONS:

Lot 1, Block 1, RIDGEDALE CENTER ELEVENTH ADDITION.
Lot 2, Block 1, RIDGEDALE CENTER ELEVENTH ADDITION.

SURVEY ITEMS PER SCHEDULE B:

- ITEM 12: The following appears as a recital on the Certificate of Title for the Land: Subject to highway easements, snow fence easements and limitations on rights of access to Trunk Highway No. 12 in favor of the State of Minnesota shown by instruments recorded in Book 2123 of Deeds, page 435, Doc No. 3056708, Book 361 of Miscellaneous Records, page 369, Doc No. 1918752, Book 939 of Deeds, page 102, Doc No. 1074907, Book 934 of Deeds, page 249, Doc No. 1061307, Book 934 of Deeds, page 456, Doc No. 1075320, Book 510 of Miscellaneous Records, page 197, Doc No. 2492636, Book 938 of Deeds, page 248, Doc No. 1077835 and Book 938 of Deeds, page 248, Doc No. 1077836, as to part of above land.
- ITEM 13: The following appears as a recital on the Certificate of Title for the Land: Quit Claim Deed, from the State of Minnesota to Sears Roebuck and Co., dated June 6, 1974, recorded June 17, 1974, as Doc. No. 1110627, releasing snow fence easements reserved over Lot 2, Block 1, Ridgedale Center Third Addition.
- ITEM 14: The following appears as a recital on the Certificate of Title for the Land: Subject to utility and drainage easements as shown on plat of Ridgedale Center Second Addition, recorded January 22, 1973 as Document No. 1059933.
- ITEM 15: Terms and conditions, including easements and assessments, as contained in the following: (a) Operating Agreement for Ridgedale Shopping Center, dated January 22, 1973, recorded January 31, 1973, as Doc. No. 1060798; (b) First Amendment to Operating Agreement, dated May 29, 1974, recorded June 17, 1974, as Doc. No. 1110631; (c) Second Amendment to Operating Agreement, dated October 22, 1974, recorded November 13, 1974, as Doc. No. 1125335; (d) Confirmation Agreement, dated October 1, 1975, recorded March 16, 1977, as Doc. No. 1212336; (e) Assignment and Assumption of Instruments, between Sears, Roebuck and Co., and GS Portfolio Holdings LLC, dated March 31, 2015, recorded April 7, 2015 as Doc. No. 5245220; and (f) Third Amendment to Operating Agreement, dated December 21, 2016, recorded December 26, 2016 as Document No. T05584626.
- ITEM 16: Easement for pipeline purposes in favor of Minneapolis Gas Company, as contained in the Easement, dated January 30, 1974, recorded June 19, 1974, as Doc. No. 1111086.
- ITEM 17: Easement for encroachment purposes, as contained in the Grant of Easement, dated January 30, 1975, recorded March 3, 1975, as Doc. No. 1133772.
- ITEM 18: Easement for telecommunications purposes in favor of Northwestern Bell Telephone Company, as contained in the Easement Agreement, dated December 7, 1976, recorded June 18, 1979, as Doc. No. 1492755.
- ITEM 19: Easements for utility purposes in favor of the City of Minnetonka, as contained in the Grant of Easement, dated November 2, 1982, recorded December 8, 1982, as Doc. No. 1492755.
- ITEM 20: Easement for sanitary sewer purposes as contained in the Grant of Easement, dated August 21, 1984, recorded August 29, 1984, as Doc. No. 1597700.
- ITEM 21: The terms, provisions, and easement(s) contained in the document entitled "Roadway Easement Agreement" recorded April 2, 2020 as Document No. T05697000.
- ITEM 22: The terms, provisions, and easement(s) contained in the document entitled "Roadway Easement Agreement" recorded April 2, 2020 as Document No. T05697000.
- ITEM 23: The terms, provisions, and easement(s) contained in the document entitled "Roadway Easement Agreement" recorded April 2, 2020 as Document No. T05697000.
- ITEM 24: The terms, provisions, and easement(s) contained in the document entitled "Roadway Easement Agreement" recorded April 2, 2020 as Document No. T05697000.
- ITEM 25: The terms, provisions, and easement(s) contained in the document entitled "Roadway Easement Agreement" recorded April 2, 2020 as Document No. T05697000.
- ITEM 26: Terms and conditions of an unrecorded lease dated November 4, 2020, executed by Ridgedale TRS Sub LLC, a Delaware limited liability company as lessor and Dick's Sporting Goods, Inc., a Delaware corporation as lessee, as disclosed by a Memorandum of Lease recorded November 20, 2020 as Document No. 5772316 of Official Records.
- ITEM 27: The terms and conditions contained in the Resolution No. 2021-013 recorded April 5, 2021 as Document No. 5821405.
- ITEM 28: The terms and conditions contained in the Ordinance No. 2021-02 recorded April 5, 2021 as Document No. 5821406.
- ITEM 29: The terms and conditions contained in the Resolution No. 2021-132 recorded December 17, 2021 as Document No. 5907457.
- ITEM 30: The terms and conditions contained in the Ordinance No. 2021-25 recorded December 17, 2021 as Document No. 5907458.
- ITEM 31: The terms and conditions contained in the Resolution No. 2022-02 recorded April 14, 2022 as Document No. 5937135.
- ITEM 32: Easement for Storm Water Facility purposes, together with any incidental rights, in favor of the City of Minnetonka, a Minnesota municipal corporation, as contained in the Underground Stormwater Facility Easement, dated May 12, 2022, recorded May 13, 2022, as Document No. 5944652.

FIELD BOOK	PAGE	FIELDWORK CHIEF:	REVISIONS	
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40944 PrePlat.dwg		CAT		
JOB NO. 40944				
FILE NO.				

PRELIMINARY PLAT OF:
**RIDGEDALE CENTER
ELEVENTH ADDITION**

SURVEY FOR:
Kimley Horn & Associates

PROPERTY ADDRESS:
**12431 Wayzata Boulevard
Minnetonka, Minnesota 55305
P.I.D. 02-117-22-34-0006**

Egan, Field & Nowak, Inc.
475 Old Highway 8 NW, Suite 200
New Brighton, Minnesota 55112
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ALTA/NSPS LAND TITLE SURVEY FOR: Kimley Horn & Associates

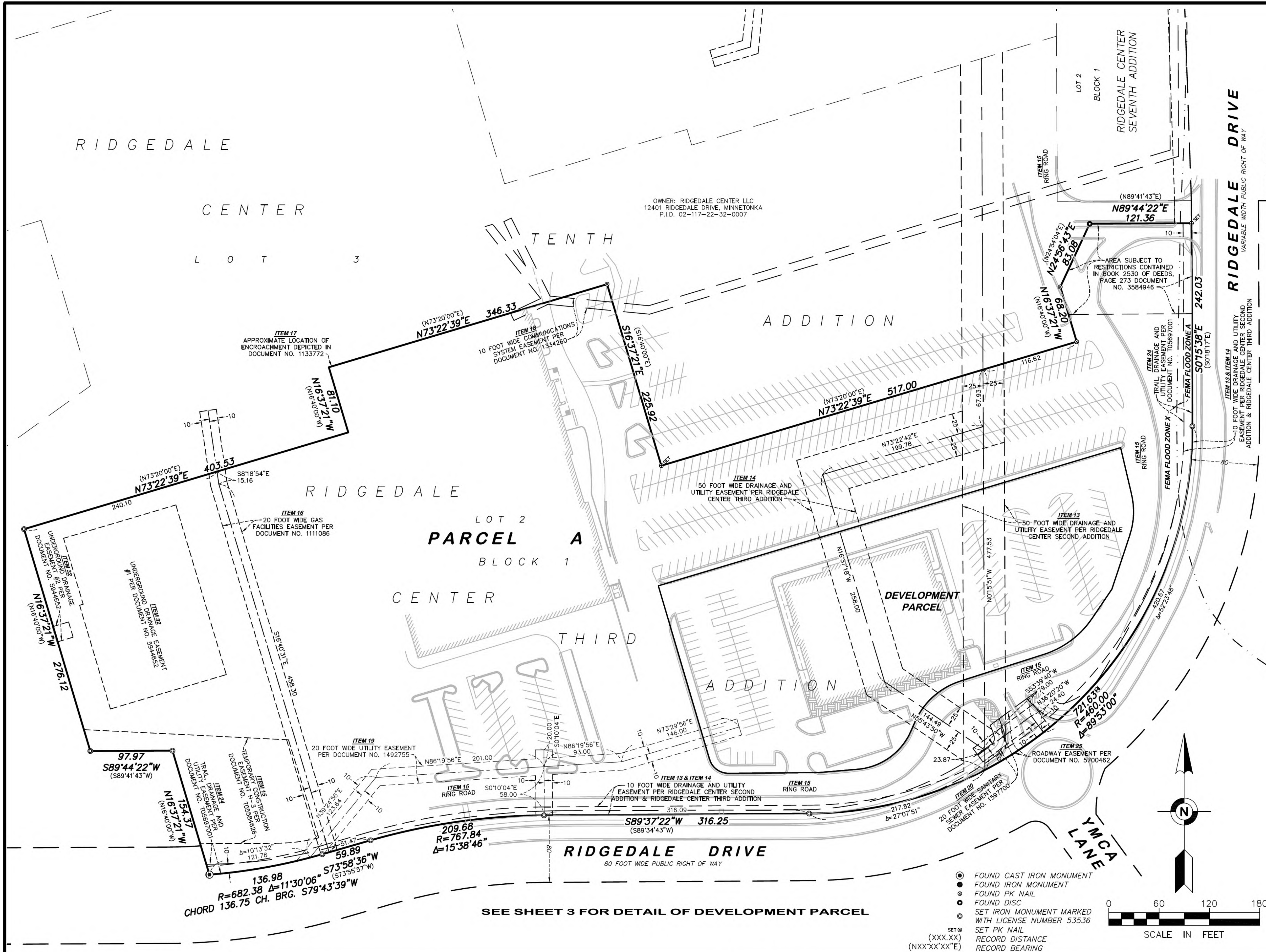
LEGAL DESCRIPTION OF PARENT PARCEL:

Parcel A:
Lot 2, Block 1, Ridgedale Center Third Addition, Hennepin County, Minnesota.
(Certificate of Title No. 1469396)

Parcel B:
Non-exclusive easements as contained in the Operating Agreement for Ridgedale Shopping Center, dated January 22, 1973, recorded January 31, 1973, in the office of the Hennepin County Registrar of Titles as Doc. No. 1060798, as amended by the First Amendment to Operating Agreement, dated May 29, 1974, recorded June 17, 1974, as Doc. No. 1110831, the Second Amendment to Operating Agreement, dated October 22, 1974, recorded November 13, 1974, as Doc. No. 1125433, the Confirmation Agreement, dated October 1, 1975, recorded March 16, 1977, as Doc. No. 1212336, and the Third Amendment to Operating Agreement, dated December 21, 2018, recorded December 26, 2018, as Doc. No. T05584626.

SURVEY ITEMS PER SCHEDULE B:

- ITEM 12:** The following appears as a recital on the Certificate of Title for the Land: Subject to highway easements, snow fence easements and limitations on rights of access to Trunk Highway No. 12 in favor of the State of Minnesota shown by instruments recorded in Book 2123 of Deeds, page 435, Doc No 3056708, Book 361 of Miscellaneous Records, page 369, Doc No 1918752, Book 939 of Deeds, page 102, Doc No 1074907, Book 934 of Deeds, page 249, Doc No 1081307, Book 934 of Deeds, page 456, Doc No 1075320, Book 510 of Miscellaneous Records, page 197, Doc No 2492936, Book 938 of Deeds, page 248, Doc No 1077835 and Book 938 of Deeds, page 248, Doc No. 1077836, as to part of above land.
- The following appears as a memorial on the Certificate of Title for the Land: Quit Claim Deed, from the State of Minnesota, to Sears Roebuck and Co., dated June 6, 1974, recorded June 17, 1974, as Doc. No. 1110827, releasing snow fence easements reserved over Lot 2, Block 1, Ridgedale Center Third Addition.
- Said Trunk Highway No. 12 lies northerly of the surveyed property and is not depicted hereon.
- ITEM 13:** The following appears as a recital on the Certificate of Title for the Land: Subject to drainage and utility easements as shown on plat of Ridgedale Center Second Addition, recorded January 22, 1973, as Document No. 1059933.
- Said easements affect the surveyed property and are depicted hereon.
- ITEM 14:** The following appears as a recital on the Certificate of Title for the Land: Subject to utility and drainage easements as shown on plat of Ridgedale Center Third Addition, recorded December 7, 1973, as Document No. 1053756.
- Said easements affect the surveyed property and are depicted hereon.
- ITEM 15:** Terms and conditions, including easements and assessments, as contained in the following: (a) Operating Agreement for Ridgedale Shopping Center, dated January 22, 1973, recorded January 31, 1973, as Doc. No. 1060798; (b) First Amendment to Operating Agreement, dated May 29, 1974, recorded June 17, 1974, as Doc. No. 1110831; (c) Second Amendment to Operating Agreement, dated October 22, 1974, recorded November 13, 1974, as Doc. No. 1125433; (d) Confirmation Agreement, dated October 1, 1975, recorded March 16, 1977, as Doc. No. 1212336; (e) Assignment and Assumption of Instruments, between Sears, Roebuck and Co., and GS Portfolio Holdings LLC, dated March 31, 2015, as Doc. No. 5246226; and (f) Third Amendment to Operating Agreement, dated December 21, 2018, recorded December 26, 2018, as Document No. T05584626.
- Said terms and conditions affect and benefit the surveyed property. The Ring Road affects and benefits the surveyed property and is mathematically undefined but is shown hereon for reference as to its effects on the surveyed property. The TRS Temporary Easement affects the surveyed property and is depicted hereon. See document for more details.
- ITEM 16:** Easement for pipeline purposes in favor of Minneapolis Gas Company, as contained in the Easement, dated January 30, 1974, recorded June 19, 1974, as Doc. No. 1111086.
- Said easement affects the surveyed property and is depicted hereon.
- ITEM 17:** Easement for encroachment purposes, as contained in the Grant of Easement, dated January 30, 1975, recorded March 3, 1975, as Doc. No. 1133772.
- The approximate location of the encroachment depicted in said document is depicted hereon.
- ITEM 18:** Easement for telecommunications purposes in favor of Northwestern Bell Telephone Company, as contained in the Easement Agreement, dated December 7, 1978, recorded June 18, 1979, as Doc. No. 1354260.
- Said easement affects the surveyed property and is depicted hereon.
- ITEM 19:** Easements for utility purposes in favor of the City of Minnetonka, as contained in the Grant of Easement, dated November 2, 1982, recorded December 8, 1982, as Doc. No. 1492755.
- Said easement affects the surveyed property and is depicted hereon.
- ITEM 20:** Easement for sanitary sewer purposes as contained in the Grant of Easement, dated August 21, 1984, recorded August 29, 1984, as Doc. No. 1597700.
- Said easement affects the surveyed property and is depicted hereon.
- ITEM 23:** The terms, provisions, and easement(s) contained in the document entitled "Roadway Easement Agreement" recorded April 2, 2020 as Document No. T05697000.
- See Item 25 - Document No. T05700462, filed to replace and correct said Document No. T05697000 which was missing Exhibit B.
- ITEM 24:** The terms, provisions, and easement(s) contained in the Trail, Drainage and Utility Easement Agreement recorded April 2, 2020 as Document No. T05697001.
- Said easements affect the surveyed property and are depicted hereon.
- NOTE: Said document references a "public utility easement per Document Number 1483473" which does not affect the surveyed property. It appears that the utility easement referenced should be per Document Number 1492755. (See Item 19).
- NOTE: There appears to be a scrivener's error in the legal description in Exhibit B and depicted on Exhibit C, the chord bearing listed as North 19 degrees 48 minutes 02 seconds East should be North 19 degrees 48 minutes 02 seconds West.
- ITEM 25:** The terms, provisions, and easement(s) contained in the Roadway Easement Agreement recorded April 15, 2020 as Document No. T05700462.
- Said easement affects the surveyed property and is depicted hereon.
- ITEM 26:** Terms and conditions of an unrecorded lease dated November 4, 2020, executed by Ridgedale TRS Sub LLC, a Delaware limited liability company as lessor and Dick's Sporting Goods, Inc., a Delaware corporation as lessee, as disclosed by a Memorandum of Lease recorded November 20, 2020 as Document No. 5772316 of Official Records.
- Said terms and conditions affect the surveyed property. The referenced "No-Build Areas", "Protected Parking Areas", "Exclusive Areas", and "Exclusive Area Occupant" per the Lease Plan are not defined in said document. No plottable items to depict.
- ITEM 27:** The terms and conditions contained in the Resolution No. 2021-013 recorded April 5, 2021 as Document No. 5821405.
- Said terms and conditions affect the surveyed property. No plottable items depicted.
- ITEM 28:** The terms and conditions contained in the Ordinance No. 2021-02 recorded April 5, 2021 as Document No. 5821406.
- Said terms and conditions affect the surveyed property. No plottable items depicted.
- ITEM 29:** The terms and conditions contained in the Resolution No. 2021-132 recorded December 17, 2021 as Document No. 5907457.
- Said terms and conditions affect the surveyed property. No plottable items depicted.
- ITEM 30:** The terms and conditions contained in the Ordinance No. 2021-25 recorded December 17, 2021 as Document No. 5907458.
- Said terms and conditions affect the surveyed property. No plottable items depicted.
- ITEM 31:** The terms and conditions contained in the Resolution No. 2022-02 recorded April 14, 2022 as Document No. 5937135.
- Said terms and conditions affect the surveyed property. No plottable items depicted.
- ITEM 32:** Easement for Storm Water Facility purposes, together with any incidental rights, in favor of City of Minnetonka, a Minnesota municipal corporation, as contained in the Underground Stormwater Facility Easement, dated May 12, 2022, recorded May 13, 2022, as Document No. 5944652.
- Said easements affect the surveyed property and are depicted hereon.



FIELD BOOK	PAGE	FIELDWORK CHIEF:	REVISIONS		
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		DRAWN BY: PMD	1	2023/05/22	UPDATED PER CLIENT COMMENTS
		CHECKED BY: CAT	2	2023/06/02	UPDATED PER CLIENT COMMENTS

**ALTA/NSPS
LAND TITLE SURVEY**

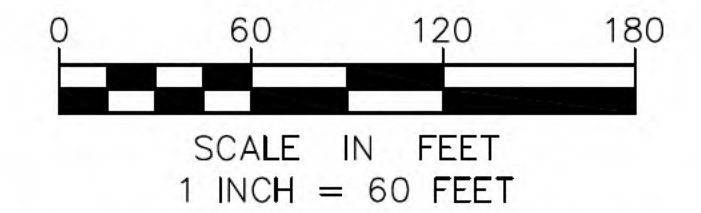
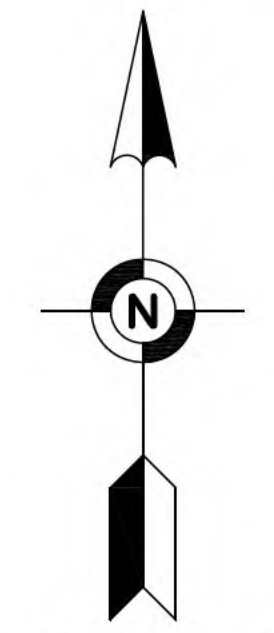
SURVEY FOR:
Kimley Horn & Associates

PROPERTY ADDRESS:
12431 Wayzata Boulevard
Minnetonka, Minnesota 55305
P.I.D. 02-117-22-34-0006



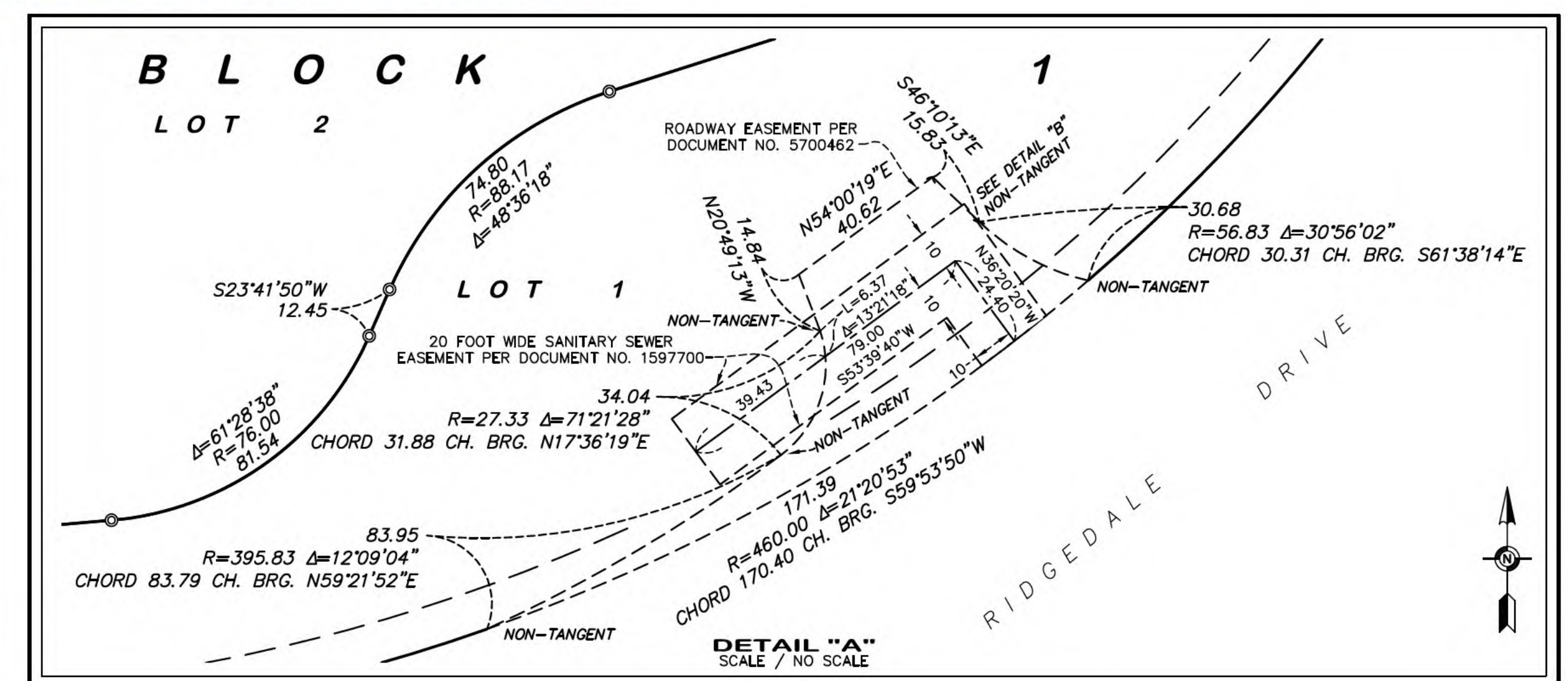
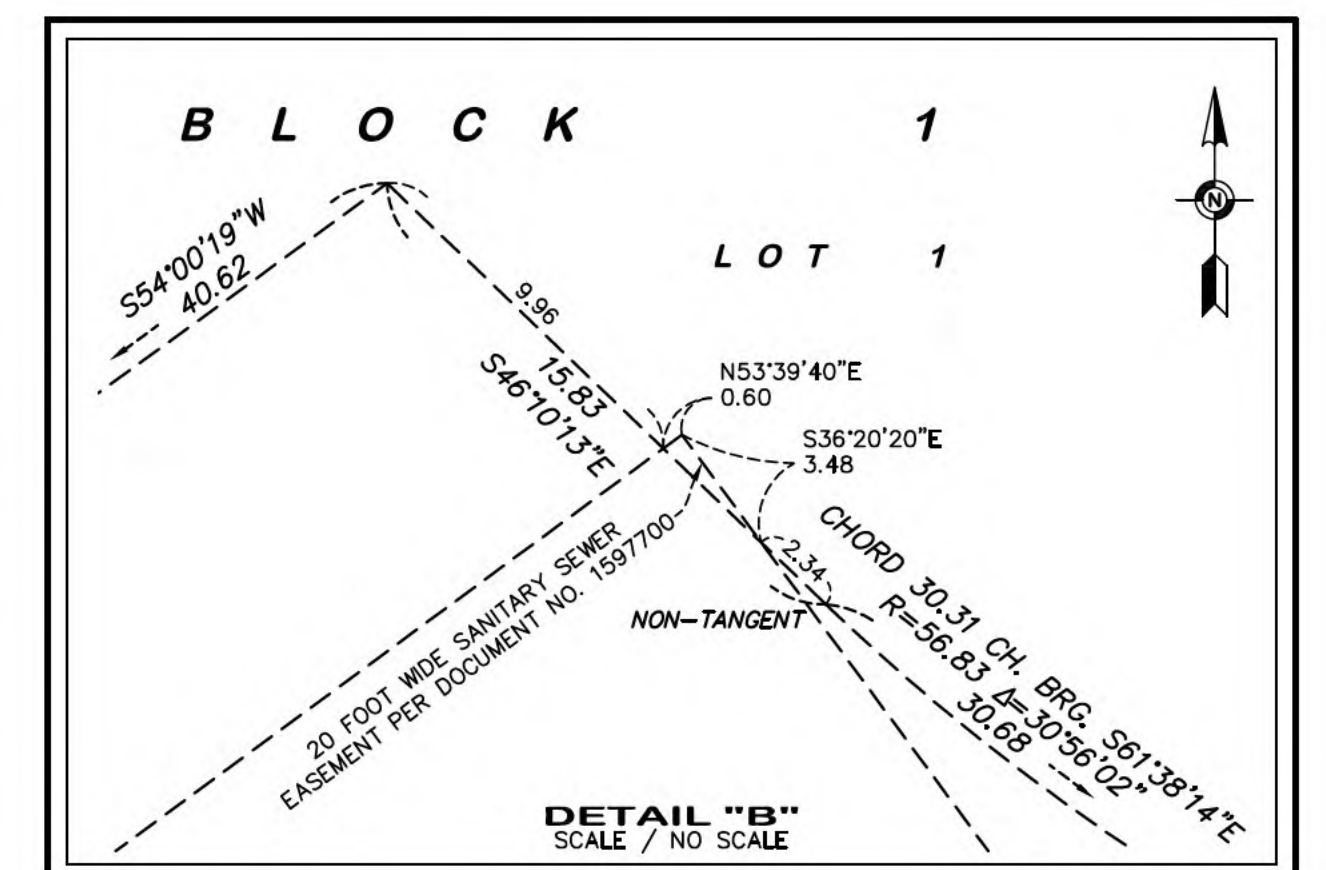
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475 Old Highway 8 NW, Suite 200
New Brighton, Minnesota 55112
PHONE: (612) 466-3300
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Land surveyors since 1872

**PRELIMINARY PLAT OF:
RIDGEDALE CENTER ELEVENTH ADDITION**



THE MOST NORTHERLY LINE OF LOT 2, BLOCK 1, RIDGEDALE CENTER THIRD ADDITION IS ASSUMED TO BEAR N89°44'22"E

- ⊙ DENOTES FOUND HENNING COUNTY CAST IRON MONUMENT
- DENOTES FOUND DISC, UNLESS OTHERWISE NOTED
- ⊙ DENOTES FOUND PK NAIL, UNLESS OTHERWISE NOTED
- ⊙ SET DENOTES SET PK NAIL
- ⊙ DENOTES SET 5/8-INCH BY 14-INCH REBAR MARKED WITH LICENSE NUMBER 535336



PROPOSED LEGAL DESCRIPTIONS:

Lot 1, Block 1, RIDGEDALE CENTER ELEVENTH ADDITION.
Lot 2, Block 1, RIDGEDALE CENTER ELEVENTH ADDITION.

PROPOSED LOT AREAS:

The area of Lot 1, Block 1, RIDGEDALE CENTER ELEVENTH ADDITION is 526,435 square feet or 12.0853 acres.
The area of Lot 2, Block 1, RIDGEDALE CENTER ELEVENTH ADDITION is 127,016 square feet or 2.9159 acres.

FIELD BOOK	PAGE	FIELDWORK CHIEF:	REVISIONS		
			NO.	DATE	DESCRIPTION
		AV	1	2023/05/22	UPDATED PER CLIENT COMMENTS
DRAWING NAME:		DRAWN BY:			
40944 PrePlat Sheet 3.dwg		PMD			
JOB NO. 40944		CHECKED BY:			
FILE NO.		CAT			

**PRELIMINARY PLAT OF:
RIDGEDALE CENTER
ELEVENTH ADDITION**

SURVEY FOR:

Kimley Horn & Associates

PROPERTY ADDRESS:

12431 Wayzata Boulevard
Minnetonka, Minnesota 55305
P.I.D. 02-117-22-34-0006

475 Old Highway 8 NW, Suite 200
New Brighton, Minnesota 55112
PHONE: (612) 466-3300
WWW.EFN SURVEY.COM
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**PRELIMINARY PLAT OF:
RIDGEDALE CENTER ELEVENTH ADDITION**

LEGAL DESCRIPTION OF PARENT PARCEL:

Parcel A:
Lot 2, Block 1, Ridgedale Center Third Addition, Hennepin County, Minnesota.
(Certificate of Title No. 1469396)

Parcel B:
Non-exclusive easements as contained in the Operating Agreement for Ridgedale Shopping Center, dated January 22, 1973, recorded January 31, 1973, in the office of the Hennepin County Registrar of Titles as Doc. No. 1060798, as amended by the First Amendment to Operating Agreement, dated May 29, 1974, recorded June 17, 1974, as Doc. No. 1110831, the Second Amendment to Operating Agreement, dated October 22, 1974, recorded November 13, 1974, as Doc. No. 1125433, the Confirmation Agreement, dated October 1, 1975, recorded March 16, 1977, as Doc. No. 1212336, and the Third Amendment to Operating Agreement, dated December 21, 2018, recorded December 26, 2018, as Doc. No. T05584626.

PROPOSED LEGAL DESCRIPTIONS:

Lot 1, Block 1, RIDGEDALE CENTER ELEVENTH ADDITION.
Lot 2, Block 1, RIDGEDALE CENTER ELEVENTH ADDITION.

SURVEY ITEMS PER SCHEDULE B:

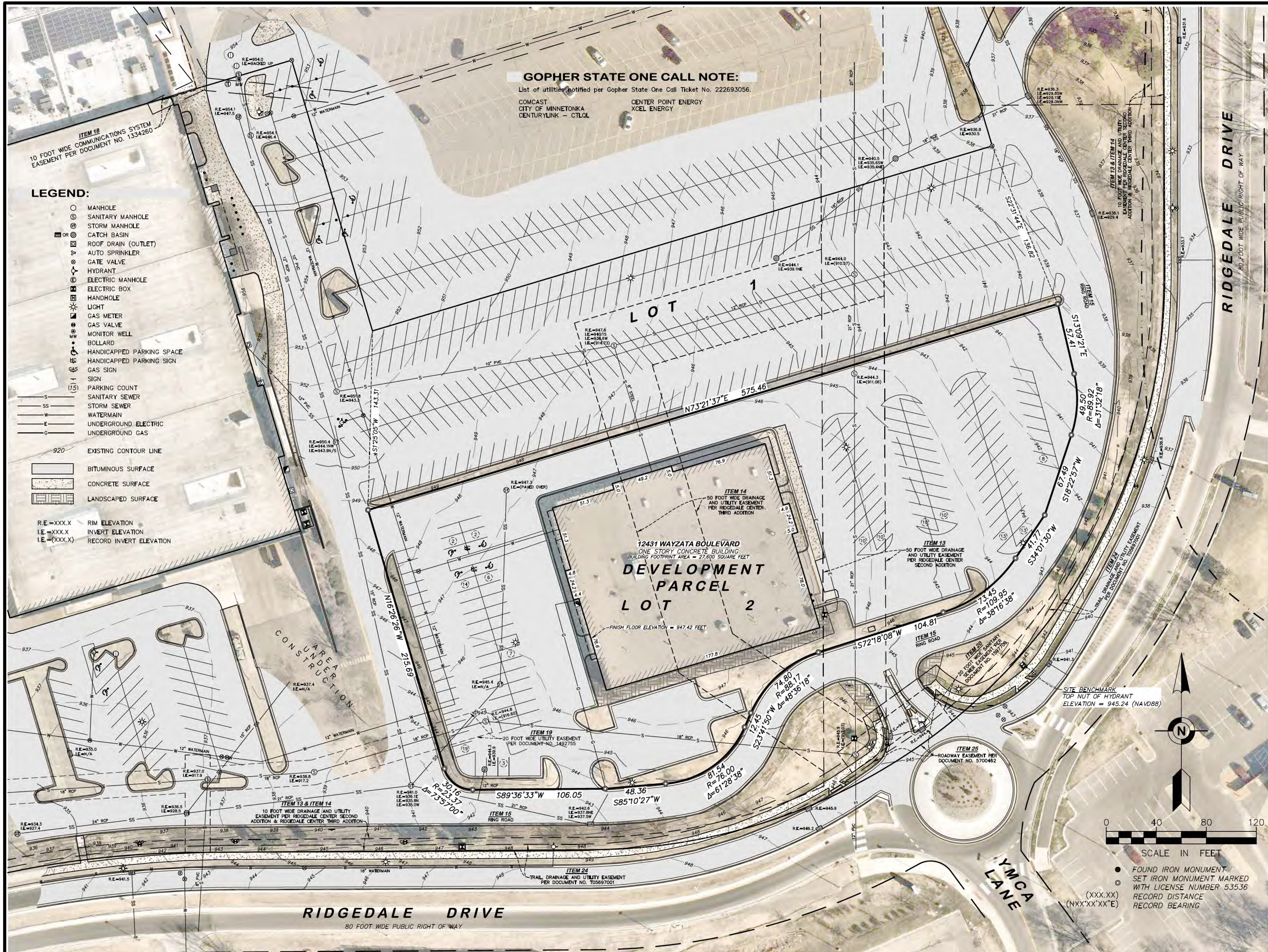
- ITEM 12:** The following appears as a recital on the Certificate of Title for the Land: Subject to Highway easements, snow fence easements and limitations on rights of access to Trunk Highway No. 12 in favor of the State of Minnesota shown by instruments recorded in Book 2123 of Deeds, page 435, Doc No 3056708, Book 361 of Miscellaneous Records, page 365, Doc No 1918752, Book 939 of Deeds, page 102, Doc No 1074907, Book 934 of Deeds, page 249, Doc No 1081307, Book 934 of Deeds, page 456, Doc No 1075320, Book 910 of Miscellaneous Records, page 197, Doc No 2492936, Book 938 of Deeds, page 248, Doc No 1077835 and Book 938 of Deeds, page 248, Doc No 1077836, as to part of above land.
- The following appears as a memorial on the Certificate of Title for the Land: Quit Claim Deed, from the State of Minnesota, to Sears Roebuck and Co., dated June 6, 1974, recorded June 17, 1974, as Doc. No. 1110827, releasing snow fence easements reserved over Lot 2, Block 1, Ridgedale Center Third Addition.
- Said Trunk Highway No. 12 lies northerly of the Development Parcel and is not depicted hereon.
- ITEM 13:** The following appears as a recital on the Certificate of Title for the Land: Subject to drainage and utility easements as shown on plat of Ridgedale Center Second Addition, recorded January 22, 1973 as Document No. 1059933.
- Said easements affect the Development Parcel and are depicted hereon.
- ITEM 14:** The following appears as a recital on the Certificate of Title for the Land: Subject to utility and drainage easements as shown on plat of Ridgedale Center Third Addition, recorded December 7, 1973, as Document No. 1053756.
- Said easements affect the Development Parcel and are depicted hereon.
- ITEM 15:** Terms and conditions, including easements and assessments, as contained in the following: (a) Operating Agreement for Ridgedale Shopping Center, dated January 22, 1973, recorded January 31, 1973, as Doc. No. 1060798; (b) First Amendment to Operating Agreement, dated May 29, 1974, recorded June 17, 1974, as Doc. No. 1110831; (c) Second Amendment to Operating Agreement, dated October 22, 1974, recorded November 13, 1974, as Doc. No. 1125433; (d) Confirmation Agreement, dated October 1, 1975, recorded March 16, 1977, as Doc. No. 1212336; (e) Assignment and Assumption of Instruments, between Sears, Roebuck and Co., and GS Portfolio Holdings LLC, dated March 31, 2015, recorded April 7, 2015 as Doc. No. 5246220; and (f) Third Amendment To Operating Agreement, dated December 21, 2018, recorded December 26, 2018 as Document No. T05584626.
- Said terms and conditions affect and benefit the Development Parcel. The Ring Road benefits the Development Parcel and is mathematically undefined but is shown hereon for reference as to its effects on the Parent Parcel. The TRS Temporary Easement does not affect the Development Parcel and is depicted hereon. See document for more details.
- ITEM 18:** Easement for telecommunications purposes in favor of Northwestern Bell Telephone Company, as contained in the Easement Agreement, dated December 7, 1978, recorded June 18, 1979, as Doc. No. 1334260.
- Said easement does not affect the Development Parcel and is depicted hereon for reference.
- ITEM 19:** Easements for utility purposes in favor of the City of Minnetonka, as contained in the Grant of Easement, dated November 2, 1982, recorded December 8, 1982, as Doc. No. 1492755.
- Said easement affect the Development Parcel and is depicted hereon.
- ITEM 20:** Easement for sanitary sewer purposes as contained in the Grant of Easement, dated August 21, 1984, recorded August 29, 1984, as Doc. No. 1597700.
- Said easement does not affect the Development Parcel and is depicted hereon for reference.
- ITEM 24:** The terms, provisions, and easement(s) contained in the Trail, Drainage and Utility Easement Agreement recorded April 2, 2020 as Document No. T05697001.
- NOTE: Said document references a "public utility easement per Document Number 1483473" which does not affect the Parent Parcel. It appears that the utility easement referenced should be per Document Number 1492755 (See Item 19).
- NOTE: There appears to be a scrivener's error in the legal description in Exhibit B and depicted on Exhibit C, the chord bearing listed as North 19 degrees 46 minutes 02 seconds East should be North 19 degrees 46 minutes 02 seconds West.
- Said easements do not affect the Development Parcel and are depicted hereon for reference.
- ITEM 25:** The terms, provisions, and easement(s) contained in the Roadway Easement Agreement recorded April 15, 2020 as Document No. T05700462.
- Said easement does not affect the Development Parcel and is depicted hereon for reference.
- ITEM 26:** Terms and conditions of an unrecorded lease dated November 4, 2020, executed by Ridgedale TRS Sub LLC, a Delaware limited liability company as lessor and Dick's Sporting Goods, Inc., a Delaware corporation as lessee, as disclosed by a Memorandum of Lease recorded November 20, 2020 as Document No. 5772316 of Official Records.
- Said terms and conditions affect the Development Parcel. The referenced "No-Build Areas", "Protected Parking Areas", "Exclusive Area", and "Exclusive Area Occupant" per the Lease Plan are not defined in said document. No plottable items to depict.
- ITEM 27:** The terms and conditions contained in the Resolution No. 2021-013 recorded April 5, 2021 as Document No. 5821405.
- Said terms and conditions affect the Development Parcel. No plottable items depicted.
- ITEM 28:** The terms and conditions contained in the Ordinance No. 2021-02 recorded April 5, 2021 as Document No. 5821406.
- Said terms and conditions affect the Development Parcel. No plottable items depicted.
- ITEM 29:** The terms and conditions contained in the Resolution No. 2021-132 recorded December 17, 2021 as Document No. 5907457.
- Said terms and conditions affect the Development Parcel. No plottable items depicted.
- ITEM 30:** The terms and conditions contained in the Ordinance No. 2021-25 recorded December 17, 2021 as Document No. 5907458.
- Said terms and conditions affect the Development Parcel. No plottable items depicted.
- ITEM 31:** The terms and conditions contained in the Resolution No. 2022-02 recorded April 14, 2022 as Document No. 5937135.
- Said terms and conditions affect the Development Parcel. No plottable items depicted.

GOPHER STATE ONE CALL NOTE:

List of utilities notified per Gopher State One Call Ticket No. 222693056.

COMCAST CITY OF MINNETONKA CENTURYLINK - CTLOL CENTER POINT ENERGY XCEL ENERGY

- LEGEND:**
- MANHOLE
 - SANITARY MANHOLE
 - STORM MANHOLE
 - CATCH BASIN
 - ROOF DRAIN (OUTLET)
 - AUTO SPRINKLER
 - GATE VALVE
 - HYDRANT
 - ELECTRIC MANHOLE
 - ELECTRIC BOX
 - HANDHOLE
 - LIGHT
 - GAS METER
 - GAS VALVE
 - MONITOR WELL
 - BOLLARD
 - HANDICAPPED PARKING SPACE
 - HANDICAPPED PARKING SIGN
 - GAS SIGN
 - SIGN
 - (15) PARKING COUNT
 - SANITARY SEWER
 - SS STORM SEWER
 - W WATERMAIN
 - E UNDERGROUND ELECTRIC
 - G UNDERGROUND GAS
 - 920 EXISTING CONTOUR LINE
 - BITUMINOUS SURFACE
 - CONCRETE SURFACE
 - LANDSCAPED SURFACE
 - R.E.=XXX.X RIM ELEVATION
 - I.E.=XXX.X INVERT ELEVATION
 - I.E.=(XXX.X) RECORD INVERT ELEVATION



FIELD BOOK	PAGE	FIELDWORK CHIEF:	REVISIONS		
			NO.	DATE	DESCRIPTION
		AV	1	2023/05/22	UPDATED PER CLIENT COMMENTS
DRAWING NAME:			CHECKED BY:		
40944 PrePlat.dwg			CAT		
JOB NO. 40944					
FILE NO.					

PRELIMINARY PLAT OF:
RIDGEDALE CENTER ELEVENTH ADDITION

SURVEY FOR:
Kimley Horn & Associates

PROPERTY ADDRESS:
**12431 Wayzata Boulevard
Minnetonka, Minnesota 55305
P.I.D. 02-117-22-34-0006**

EFNS
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475 Old Highway 8 NW, Suite 200
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PHONE: (612) 466-3300
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ALTA/NSPS LAND TITLE SURVEY FOR: Kimley Horn & Associates

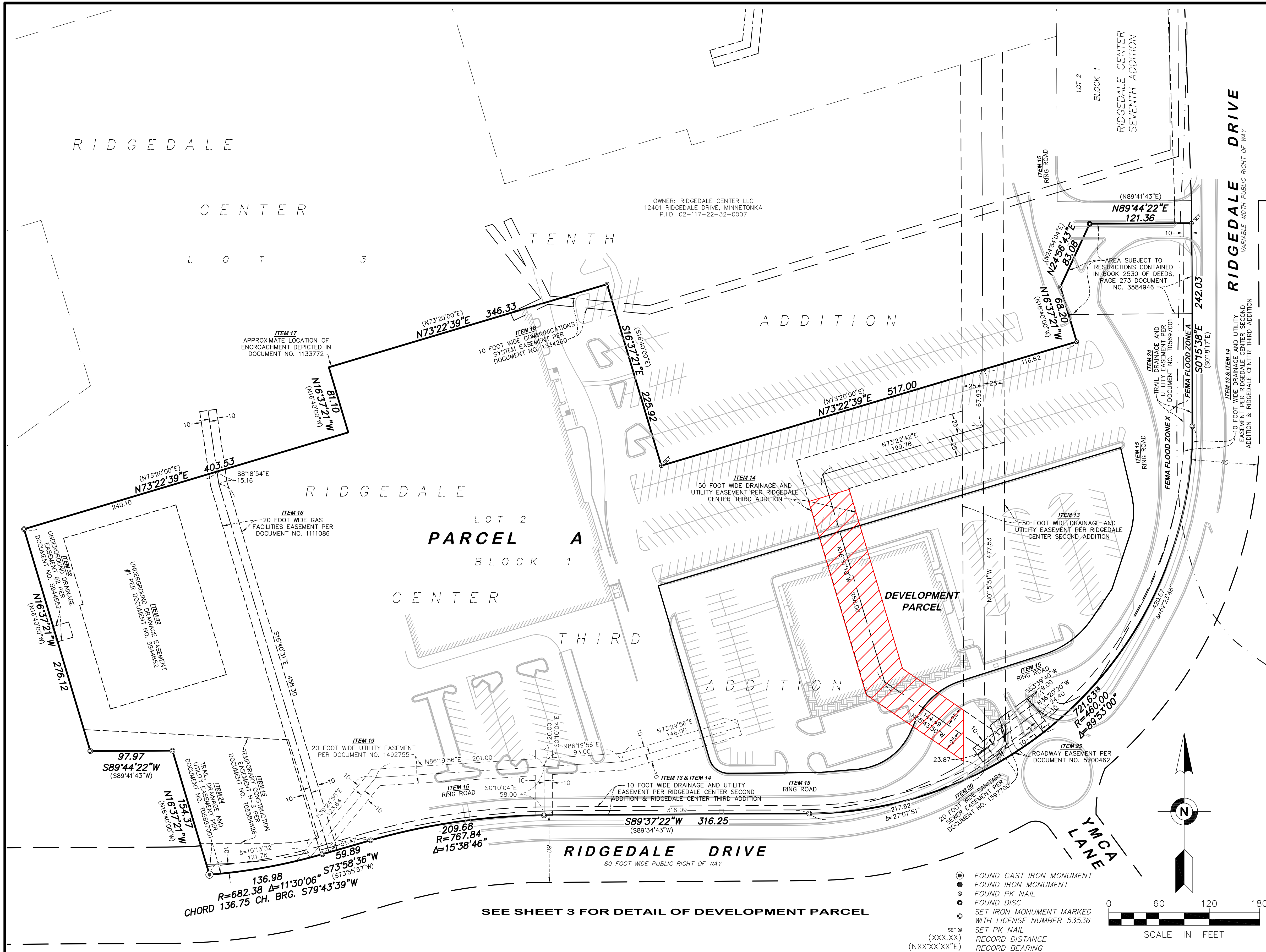
LEGAL DESCRIPTION OF PARENT PARCEL:

Parcel A:
Lot 2, Block 1, Ridgedale Center Third Addition, Hennepin County, Minnesota.
(Certificate of Title No. 1469396)

Parcel B:
Non-exclusive easements as contained in the Operating Agreement for Ridgedale Shopping Center, dated January 22, 1973, recorded January 31, 1973, in the office of the Hennepin County Registrar of Titles as Doc. No. 1060798, as amended by the First Amendment to Operating Agreement, dated May 29, 1974, recorded June 17, 1974, as Doc. No. 1110831; the Second Amendment to Operating Agreement, dated October 22, 1974, recorded November 13, 1974, as Doc. No. 1125433; the Confirmation Agreement, dated October 1, 1975, recorded March 16, 1977, as Doc. No. 1212336, and the Third Amendment to Operating Agreement, dated December 21, 2018, recorded December 26, 2018, as Doc. No. T05584626.

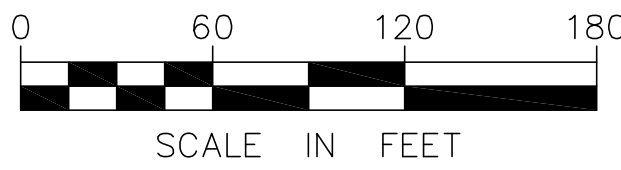
SURVEY ITEMS PER SCHEDULE B:

- ITEM 12:** The following appears as a recital on the Certificate of Title for the Land: Subject to highway easements, snow fence easements and limitations on rights of access to Trunk Highway No. 12 in favor of the State of Minnesota shown by instruments recorded in Book 2123 of Deeds, page 435, Doc No 3056708, Book 361 of Miscellaneous Records, page 369, Doc No 1918752, Book 939 of Deeds, page 102, Doc No 1074907, Book 934 of Deeds, page 249, Doc No 1081307, Book 934 of Deeds, page 456, Doc No. 1075320, Book 510 of Miscellaneous Records, page 197, Doc No 2492936, Book 938 of Deeds, page 248, Doc No 1077835 and Book 938 of Deeds, page 248, Doc No. 1077836, as to part of above land.
- The following appears as a memorial on the Certificate of Title for the Land: Quit Claim Deed, from the State of Minnesota, to Sears Roebuck and Co., dated June 6, 1974, recorded June 17, 1974, as Doc. No. 1110827, releasing snow fence easements reserved over Lot 2, Block 1, Ridgedale Center Third Addition.
- Said Trunk Highway No. 12 lies northerly of the surveyed property and is not depicted hereon.
- ITEM 13:** The following appears as a recital on the Certificate of Title for the Land: Subject to drainage and utility easements as shown on plot of Ridgedale Center Second Addition, recorded January 22, 1973, as Document No. 1059933.
- Said easements affect the surveyed property and are depicted hereon.
- ITEM 14:** The following appears as a recital on the Certificate of Title for the Land: Subject to utility and drainage easements as shown on plot of Ridgedale Center Third Addition, recorded December 7, 1973, as Document No. 1093756.
- Said easements affect the surveyed property and are depicted hereon.
- ITEM 15:** Terms and conditions, including easements and assessments, as contained in the following: (a) Operating Agreement for Ridgedale Shopping Center, dated January 22, 1973, recorded January 31, 1973, as Doc. No. 1060798; (b) First Amendment to Operating Agreement, dated May 29, 1974, recorded June 17, 1974, as Doc. No. 1110831; (c) Second Amendment to Operating Agreement, dated October 22, 1974, recorded November 13, 1974, as Doc. No. 1125433; (d) Confirmation Agreement, dated October 1, 1975, recorded March 16, 1977, as Doc. No. 1212336; (e) Assignment and Assumption of Instruments, between Sears, Roebuck and Co., and GS Portfolio Holdings LLC, dated March 31, 2015, recorded April 7, 2015 as Doc. No. 5246220; and (f) Third Amendment to Operating Agreement, dated December 21, 2018, recorded December 26, 2018 as Document No. T05584626.
- Said terms and conditions affect and benefit the surveyed property. The Ring Road affects and benefits the surveyed property and is mathematically undefined but is shown hereon for reference as to its effects on the surveyed property. The TRS Temporary Easement affects the surveyed property and is depicted hereon. See document for more details.
- ITEM 16:** Easement for pipeline purposes in favor of Minneapolis Gas Company, as contained in the Easement, dated January 30, 1974, recorded June 19, 1974, as Doc. No. 1111086.
- Said easement affects the surveyed property and is depicted hereon.
- ITEM 17:** Easement for encroachment purposes, as contained in the Grant of Easement, dated January 30, 1975, recorded March 3, 1975, as Doc. No. 1133772.
- The approximate location of the encroachment depicted in said document is depicted hereon.
- ITEM 18:** Easement for telecommunications purposes in favor of Northwestern Bell Telephone Company, as contained in the Easement Agreement, dated December 7, 1978, recorded June 18, 1979, as Doc. No. 1334260.
- Said easement affects the surveyed property and is depicted hereon.
- ITEM 19:** Easements for utility purposes in favor of the City of Minnetonka, as contained in the Grant of Easement, dated November 2, 1982, recorded December 8, 1982, as Doc. No. 1492755.
- Said easement affects the surveyed property and is depicted hereon.
- ITEM 20:** Easement for sanitary sewer purposes as contained in the Grant of Easement, dated August 21, 1984, recorded August 29, 1984, as Doc. No. 1597700.
- Said easement affects the surveyed property and is depicted hereon.
- ITEM 23:** The terms, provisions, and easement(s) contained in the document entitled "Roadway Easement Agreement" recorded April 2, 2020 as Document No. T05697000.
- See Item 25 - Document No. T05700462, filed to replace and correct said Document No. T0597000 which was missing Exhibit B.
- ITEM 24:** The terms, provisions, and easement(s) contained in the Trail, Drainage and Utility Easement Agreement recorded April 2, 2020 as Document No. T05697000.
- Said easements affect the surveyed property and are depicted hereon.
- NOTE: Said document references a "public utility easement per Document Number 1483473" which does not affect the surveyed property. It appears that the utility easement referenced should be per Document Number 1492755 (See Item 19).
- NOTE: There appears to be a scrivener's error in the legal description in Exhibit B and depicted on Exhibit C, the chord bearing listed as North 19 degrees 48 minutes 02 seconds East should be North 19 degrees 48 minutes 02 seconds West.
- ITEM 25:** The terms, provisions, and easement(s) contained in the Roadway Easement Agreement recorded April 15, 2020 as Document No. T05700462.
- Said easement affects the surveyed property and is depicted hereon.
- ITEM 26:** Terms and conditions of an unrecorded lease dated November 4, 2020, executed by Ridgedale TRS Sub LLC, a Delaware limited liability company as lessor and Dick's Sporting Goods, Inc., a Delaware corporation as lessee, as disclosed by a Memorandum of Lease recorded November 20, 2020 as Document No. 5772316 of Official Records.
- Said terms and conditions affect the surveyed property. The referenced "No-Build Areas", "Protected Parking Areas", "Exclusive Area", and "Exclusive Area Occupant" per the Lease Plan are not defined in said document. No plottable items to depict.
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- ITEM 28:** The terms and conditions contained in the Ordinance No. 2021-02 recorded April 5, 2021 as Document No. 5821406.
- Said terms and conditions affect the surveyed property. No plottable items depicted.
- ITEM 29:** The terms and conditions contained in the Resolution No. 2021-132 recorded December 17, 2021 as Document No. 5907457.
- Said terms and conditions affect the surveyed property. No plottable items depicted.
- ITEM 30:** The terms and conditions contained in the Ordinance No. 2021-25 recorded December 17, 2021 as Document No. 5907458.
- Said terms and conditions affect the surveyed property. No plottable items depicted.
- ITEM 31:** The terms and conditions contained in the Resolution No. 2022-02 recorded April 14, 2022 as Document No. 5937135.
- Said terms and conditions affect the surveyed property. No plottable items depicted.
- ITEM 32:** Easement for Storm Water Facility purposes, together with any incidental rights, in favor of City of Minnetonka, a Minnesota municipal corporation, as contained in the Underground Stormwater Facility Easement, dated May 12, 2022, recorded May 13, 2022, as Document No. 5944652.
- Said easements affect the surveyed property and are depicted hereon.



SEE SHEET 3 FOR DETAIL OF DEVELOPMENT PARCEL

- FOUND CAST IRON MONUMENT
 - FOUND IRON MONUMENT
 - FOUND PK NAIL
 - FOUND DISC
 - SET IRON MONUMENT MARKED WITH LICENSE NUMBER 53536
 - SET PK NAIL
 - RECORD DISTANCE
 - RECORD BEARING
- SET ○ (XXX.XX)
RECORD DISTANCE (NXX'XX'XX"E)



FIELD BOOK	PAGE	FIELDWORK CHIEF:	REVISIONS		
		AV	NO.	DATE	DESCRIPTION
		DRAWN BY:	1	2023/05/22	UPDATED PER CLIENT COMMENTS
		PMD	2	2023/06/02	UPDATED TITLE COMMITMENT
		CHECKED BY:	3	2023/06/05	UPDATED REMNANT PARCEL DESCRIPTION
		CAT	4	2023/06/29	UPDATED PER CLIENT COMMENTS; ADDED ZONING INFO.

**ALTA/NSPS
LAND TITLE SURVEY**

SURVEY FOR:
Kimley Horn & Associates

PROPERTY ADDRESS:
**12431 Wayzata Boulevard
Minnetonka, Minnesota 55305
P.I.D. 02-117-22-34-0006**

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Resolution No. 2023-

**Resolution approving the preliminary plat of RIDGEDALE 11TH ADDITION,
a two-lot subdivision at 12431 Wayzata Blvd.**

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

Section 1. Background.

- 1.01 Kimley Horn & Associates has requested preliminary plat approval for RIDGEDALE 11TH ADDITION. (Project 97027.23a).
- 1.02 The property is located at 12431 Wayzata Blvd. It is legally described as follows:
- Parcel A:
- Lot 2, Block 1, RIDGEDALE THIRD ADDITION, Hennepin County, Minnesota.
- Parcel B:
- Non-exclusive easements as contained in the Operating Agreement for Ridgedale Shopping Center, dated January 22, 1973, recorded January 31, 1973, in the office of the Hennepin County Registrar of Titles as Doc. No. 1060798, as amended by the First Amendment to Operating Agreement, dated May 29, 1974, recorded June 17, 1974, as Doc. No. 1110831, the Second Amendment to the Operating Agreement, dated October 22, 1974, recorded November 13, 1974, as Doc. No. 1125433, the Confirmation Agreement, dated October 1, 1975, recorded March 16, 1977, as Doc. No. 1212336, as the Third Amendment to Operating Agreement, dated December 21, 2018, recorded December 26, 2018, as Doc. No. T05584626.
- Torrens Cert No. 1469396.
- 1.03 On Sept. 7, 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 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. Roadway easement 5700462 shown as a right-of-way dedication.
 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) Title evidence that is current within thirty days before the release of the final plat.
 - 3) Consent to plat from lender.
2. Prior to approval and release of the final plat for recording:
 - a) This resolution must be recorded with Hennepin County.
 - b) The documents outlined in section 4.01(1) must be approved by the city attorney.

- c) Submit two sets of mylars for city signatures.
 - d) Submit an electronic CAD file of the plat in microstation or DXF.
 - e) Evidence of private parking, access, ingress, and utility easements.
- 3. This approval does not void or vacate any previous agreements or easement documents unless approved and amended by the city.
 - 4. 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 Sept. 18, 2023.

Brad Wiersum, Mayor

Attest:

Becky Koosman, City Clerk

Action on this resolution:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

Absent:

Resolution adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Minnetonka, Minnesota, at a duly authorized meeting held on Sept. 18, 2023.

Becky Koosman, City Clerk

MINNETONKA PLANNING COMMISSION
Sept. 7, 2023

Brief Description	Sign plan amendment for Minnetonka Civic Center Campus at 14600 Minnetonka Blvd.
Recommendation	Adopt the resolution approving the request.

Background

The civic center campus is roughly 100 acres, including the recent Marsh acquisition. The campus is comprised of several parcels, facilities, and amenities.

In 2005, the planning commission approved a sign plan for the Minnetonka Civic Center Campus at 14600 Minnetonka Blvd. The plan included a monument sign, a menu sign, and four directional signs.

The monument sign (Sign A), located in the northeast corner of the Minnetonka Blvd/ Williston Road intersection included approval for a dynamic display.

The menu board (Sign B) included a list of the amenities and facilities located on the civic campus.

The remaining signs (Signs C – F) were directional signs provided more specific information related to parking, entrances, and location of the various facilities and amenities.



Figure 1: Existing Sign Plan

The city rebranded and updated its logo in 2018 and added the police and fire facilities in 2019.

Proposed

Kevin Maas, on behalf of the city, is requesting an amendment to the existing sign plan to reflect the city's updated brand and improve wayfinding throughout the site. The following summarizes the changes:

- Sign plan updates:**

Exiting Sign B/ Menu Sign: The existing sign cabinet (60-inch wide x 46" tall) would be removed and replaced with a new (61-inch wide x 82-inch tall) cabinet.



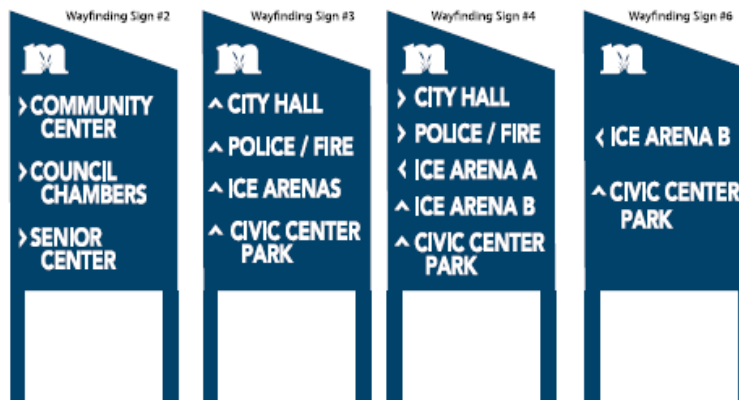
Directional Signs: Signs 2, 4, and 6 would replace existing signs C, D, and F. The signs would generally be located in the same locations and would be seven feet in overall height with a cabinet size of 36-inches x 60-inches.



Figure 1: Proposed Sign Plan locations

- New Sign:**

The sign plan amendment would include an additional directional sign (Sign 3) located north of the community center entrance. Sign #5 adjacent to the Police Station (shown on Wayfinding Sign Replacement sheet 3 of 4) is not proposed at this time but could be added if desired in the future.



Staff Analysis

Staff finds approval finding:

- A sign plan continues to be appropriate for the civic center campus. The proposed signs are consistent with the intent of the approved sign plan.
- The signs would reflect the city's recently updated brand and would assist in wayfinding to the various amenities and facilities on the campus.
- The size and number of signs are appropriate when considering the overall campus size and the number and variety of uses onsite.

Staff Recommendation

Adopt the resolution approving a sign plan amendment for Minnetonka Civic Center Campus at 14600 Minnetonka Blvd.

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

Supporting Information

Surrounding Land Uses

Northerly: Timberhill neighborhood and Minnehaha Creek
 Easterly: Minnehaha Creek and McGinty Road West/ 1494
 Southerly: Minnetonka Blvd.
 Westerly: Timberhill neighborhood, wetlands, and Minnetonka Seventh Day Adventist Church

Planning

Guide Plan designation: Institutional and Park
 Zoning: PUD, planned unit development

Sign Plan Summary

The following is intended to summarize the request:

	Existing Sign Plan	Proposed Sign Plan
Monument sign	Total size: 125 sq. ft. • Base: 53 sq. ft. • Dynamic sign: 72 sq. ft. Graphic area size: 55 sq. ft. Sign height: 10 ft.	No changes
Wayfinding Sign 1 (formerly Sign B/ Menu sign)	Total size: 32.5 sq. ft. • Base: 12.5 sq. ft. • Sign: 20 sq. ft. Sign height: 6 ft	Total Size: 46 sq. ft. • Base: 12.5 sq. ft. • Sign: 34 sq. ft. Sign height: 9 ft
Directional Signs	Total size: 13.5 sq. ft. Height: 6 ft.	Sign: 17.5 sq. ft. Height: 7 ft.

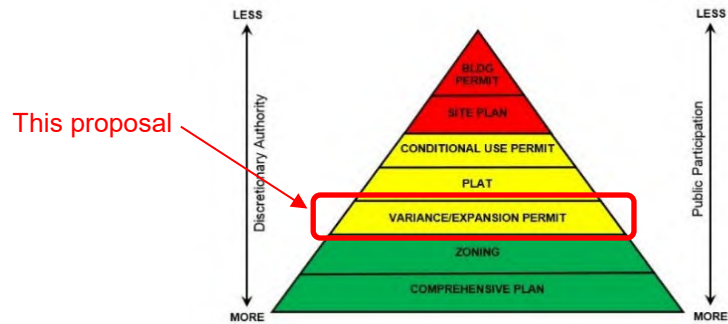
Sign Plan

By code, a sign plan may be considered on properties zoned PUD, planned unit development, when:

- The property includes a high rise (greater than 3-story) structure.
- The development includes multiple structures and/or substantial site area.
- The development includes mixed uses.
- A sign plan is uniquely adapted to address the visibility needs of a development, while remaining consistent with the intent of this section to direct high quality signage; and

- The sign plan includes permanent sign covenants which can be enforced by the city.

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 adopting the resolution approving the amendment.
2. Disagree with the staff's recommendation. In this case, a motion should be denying 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.

Appeals

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.

Neighborhood Comments

The city sent notices to 35 area property owners and received no comments.

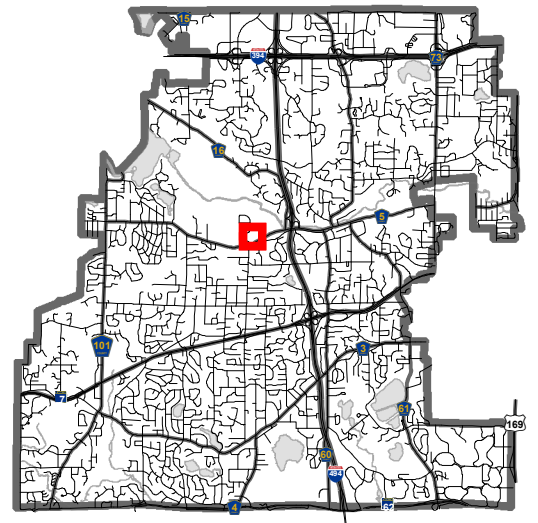
Deadline for Decision

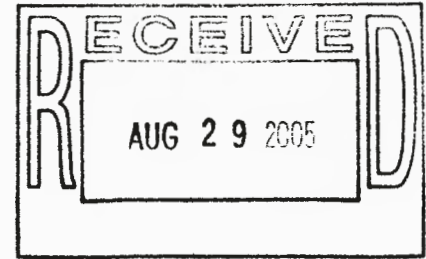
Dec. 8, 2023



Location Map

Project: Civic Center Wayfinding Signs
Address: 14600 Minnetonka Blvd.





MINNETONKA CIVIC CENTER
 INFORMATION CENTER/DIRECTIONAL SIGN PROPOSAL

SIGN TYPE	PROPOSED SIZE	CODE REQUIREMENTS
MONUMENT SIGN W / MESSAGE CENTER	Total size: 125 sq. ft. <ul style="list-style-type: none"> • Base size: 53 sq. ft. • Message sign size: 72 sq. ft. Graphic area size: 55 sq. ft. Sign height: 10 ft.	Total size: 75 sq. ft. Graphic area size: 33 sq. ft. Sign height: 8 ft.
MENU SIGN	Total size: 32.5 sq. ft. <ul style="list-style-type: none"> • Base size: 12.5 sq. ft. • Sign size: 20 sq. ft. Sign height: 6 ft.	Total size: 7 sq. ft. Sign height: 6 ft
DIRECTIONAL SIGNS (4)	Total size: 13.5 sq. ft. Sign height: 6 ft.	Total size: 7 sq. ft. Sign height: 6 ft.

4

CIVIC CENTER CAMPUS MASTER PLAN



RECEIVED
AUG 29 2005

A5



13'-4"

12'-0"

3'-0"

2'-0"

City of Minnetonka

POLICE EXPLORERS
PANCAKE BREAKFAST
SATURDAY, 7 - 9:00AM

6'-0"

4"

3'-6"

AVD

Monument ID Sign - Double Face Illuminated Sign with LED Message Center

Side View

City of Minnetonka Directional Monument Sign - 8/12/05

B

RECEIVED
AUG 29 2005

A7



Directional Sign A - Single Face Illuminated Sign

Side View

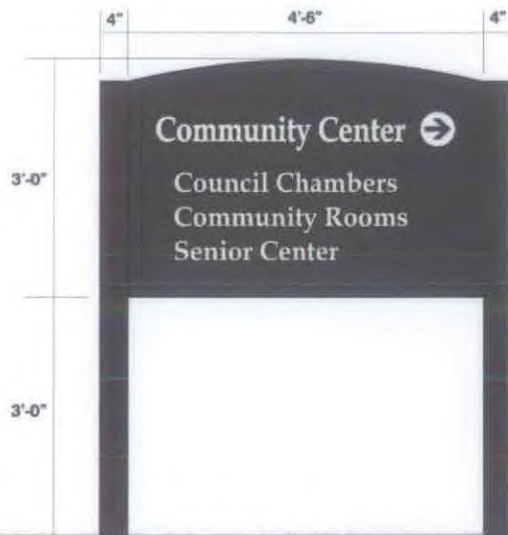
SPECTRUM
SIGN SYSTEMS, INC.

DESIGN ♦ FABRICATION ♦ INSTALLATION ♦ SERVICE
2025 Gateway Circle, Suite 2, Centerville, MN. 55038 651-429-6100 (Fax) 651-429-6190



C

D



Directional Sign B - Single Face Illuminated Sign



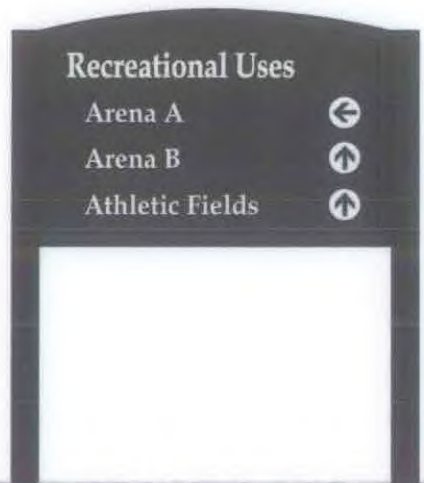
Directional Sign C - Single Face Illuminated Sign

A8

RECEIVED
AUG 29 2005

E

F



Directional Sign D - Single Face Illuminated Sign



Directional Sign E - Single Face Non-Illuminated Sign

AG

Proposed Sign Plan

New Wayfinding Sign

3

2

3

1

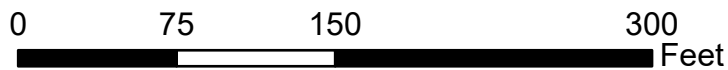


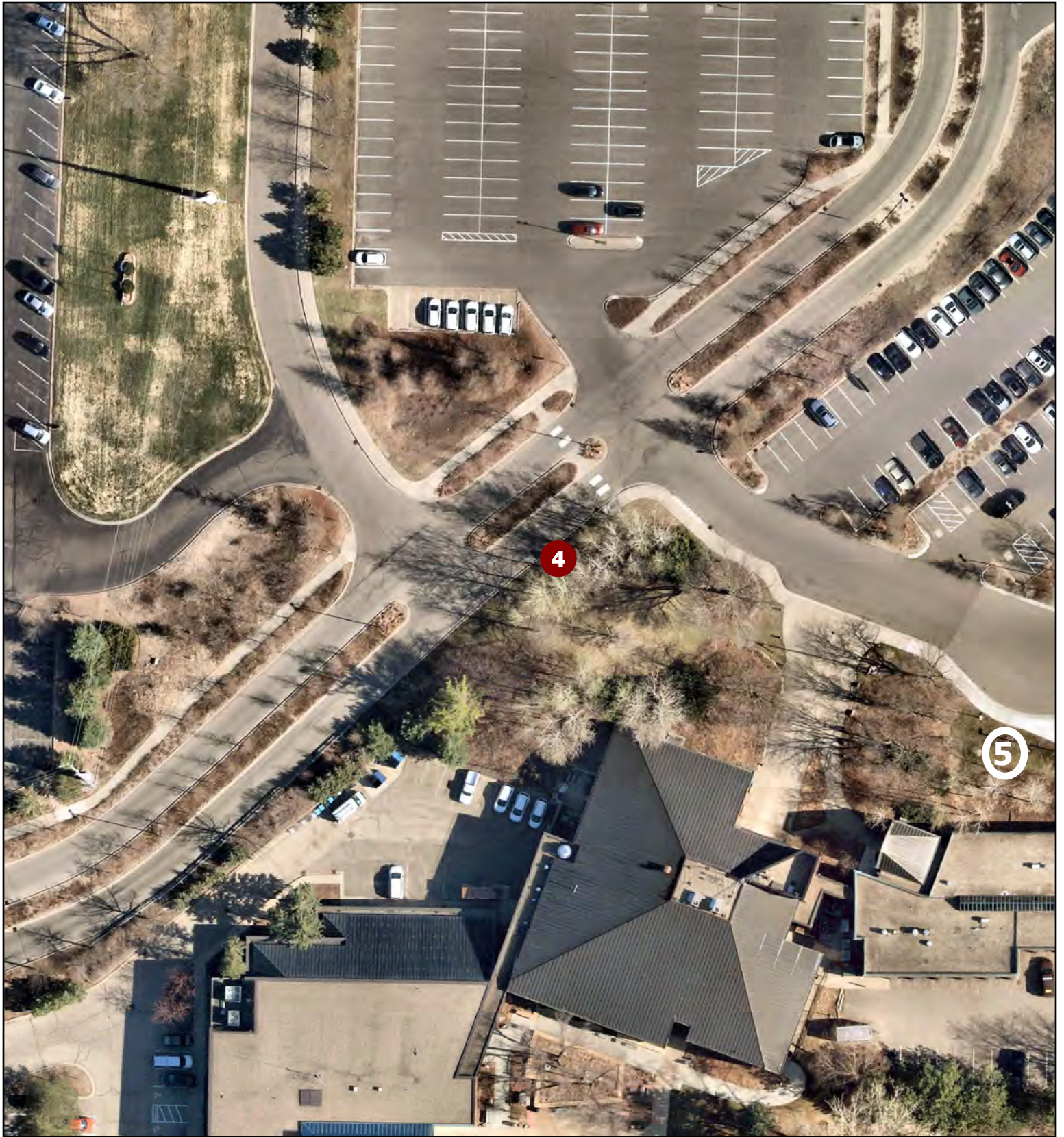
(2/4)



Wayfinding Sign Replacement

August 2023



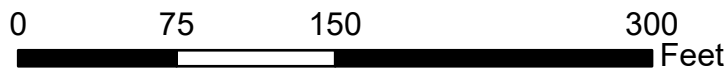


(3/4)



Wayfinding Sign Replacement

August 2023



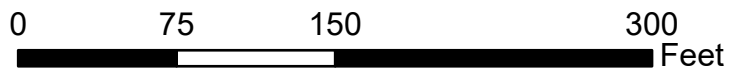


(4/4)



Wayfinding Sign Replacement

August 2023



CD PRODUCTS Inc.
FULL SERVICE GRAPHICS PRODUCTION

1330 MILL LANE • WACONIA, MN 55387
phone 952-442-7481 fax 952-442-7491
email cathy@cdproductsinc.com

Pricing shown is for product only and does not include design, installation, shipping or sales tax charges, which are additional.

PROOF DATE 8/10/2023

Job Description
Entrance Monument Sign

Customer
City of Minnetonka

Sales Person
Catherine Nielsen

Notes
see-->

file:

This design is the property of CD Products, Inc. and may not be reproduced or manufactured without written permission from CD Products.



Cabinet area

Existing Cabinet
- 60.375" wide x 46" tall x 11.5" deep

NEW CABINET
- 61" wide x 82" tall
- PMS 7694C blue smooth finish
- illuminated
- single sided
- white letters

Mounted to existing base

Logo - 19" tall x 20.3" wide
Letters - 4" tall

Base area
- EXISTING BASE
- Cap is 66" wide x 18" deep



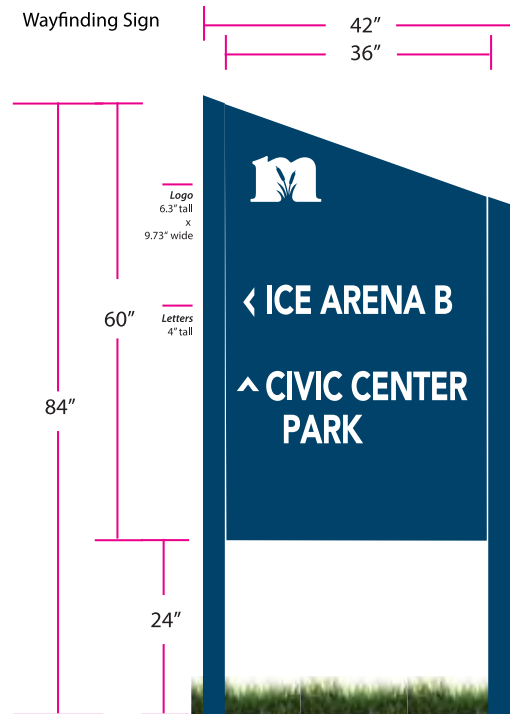
 <p>CD PRODUCTS Inc. FULL SERVICE GRAPHICS PRODUCTION</p> <p>1330 MILL LANE • WACONIA, MN 55387 phone 952-442-7481 fax 952-442-7491 email cathy@cdproductsinc.com</p>	
<p>Pricing shown is for product only and does not include design, installation, shipping or sales tax charges, which are additional.</p>	
<p>PROOF DATE 8/10/2023</p>	
<p>Job Description</p> <p>Wayfinding Signs</p> <p>Illuminated</p>	
<p>Customer</p> <p>City of Minnetonka</p>	
<p>Sales Person</p> <p>Catherine Nielsen</p>	
<p>Notes</p> <p>see--></p>	
<p>fileCityHallDirectionalBlue</p> <p>Option4inchletters.ai</p> <p>cath emails / city minnetonka / wayfinding</p>	
<p>This design is the property of CD Products, Inc. and may not be reproduced or manufactured without written permission from CD Products.</p>	



Sign

- aluminum cabinet style sign
- 36" x 60" x 3" deep
- PMS 7694C blue finish
- Letters - 4" tall
- illuminated with white LED's
- single sided

Posts - 3" x 3" x 120" tall



M
▲ CITY HALL
▲ POLICE/FIRE
▲ ICE ARENAS
▲ CIVIC CENTER PARK



▲ CITY HALL

▲ POLICE/FIRE

▲ ICE ARENAS

▲ CIVIC CENTER PARK

Resolution No. 2023-

**Resolution approving a sign plan amendment to the sign plan for
Minnetonka Civic Center Campus at 14600 Minnetonka Blvd.**

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

Section 1. Background.

1.01 Kevin Maas, on behalf of the city of Minnetonka, is requesting an amendment to the sign plan for the Minnetonka Civic Center Campus.

1.02 The property is located at 14600 Minnetonka Blvd.

1.03 Minnetonka Civic Center Campus is governed by a sign plan that was approved by the city council on Oct. 6, 2005.

1.04 The following is intended to summarize the request:

	Existing Sign Plan	Proposed Sign Plan
Monument sign	Total size: 125 sq. ft. <ul style="list-style-type: none">• Base: 53 sq. ft.• Dynamic sign: 72 sq. ft. Graphic area size: 55 sq. ft. Sign height: 10 ft.	No changes
Wayfinding Sign 1 (formerly Sign B/ Menu sign)	Total size: 32.5 sq. ft. <ul style="list-style-type: none">• Base: 12.5 sq. ft.• Sign: 20 sq. ft. Sign height: 6 ft	Total Size: 46 sq. ft. <ul style="list-style-type: none">• Base: 12.5 sq. ft.• Sign: 34 sq. ft. Sign height: 9 ft
Directional Signs	Total size: 13.5 sq. ft. Height: 6 ft.	Sign: 17.5 sq. ft. Height: 7 ft.

Section 2. General Standards.

2.01 By City Code §300.30 Subd.9(h), the city may consider and approve sign plans with differing standards for properties located within the PID district. Factors used in determining if an individual sign plan will be considered include the following:

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

Section 3. FINDINGS.

3.01 The sign plan amendment is appropriate for the property as:

1. The campus is roughly 100 acres and includes multiple facilities, amenities, and uses.
2. The sign plan would allow wayfinding signs to direct visitors once they've entered the campus.
3. The proposed amendment would be consistent with the intent of the originally approved sign plan.
4. The signs would reflect the city's recently updated brand.
5. The size and number of signs are appropriate when considering the overall campus size and the number and variety of uses on site.

Section 4. Planning Commission Action.

4.01 The planning commission approves a sign plan amendment to the Minnetonka Civic Center Campus sign plan to allow the replacement of four signs and one additional sign, for a total of five signs. Approval is subject to the following conditions:

1. Sign permits are required.
2. This approval does not guarantee future approvals.

Adopted by the Planning Commission of the City of Minnetonka, Minnesota, on Sept. 7, 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 Sept. 7, 2023.

Fiona Golden, Deputy City Clerk

Minnetonka Planning Commission Meeting

Agenda Item 8

Public Hearing: Non-Consent Agenda

MINNETONKA PLANNING COMMISSION
Sept. 7, 2023

- Brief Description** Variance to the shoreland setback and the maximum impervious surface variance at 16901 Grays Bay Blvd.
- Recommendation** Adopt the resolution rescinding and replacing Resolution 2010-12 and approving the variance requests.
-

Background

The existing home at 16901 Grays Bay Blvd. was reconstructed in 2010 after an expansion permit was approved for a 20-foot setback from Grays Bay Boulevard and 38 feet from the ordinary high water line. Within the resolution granting the expansion permit, the permit was given conditions of approval.

The property owners recently applied for a deck permit and a grading permit through the city's online permit system. It was through the permit review that staff informed the applicant that a variance was required for the proposed setbacks and impervious surface coverage. In reviewing the previous approval, staff found discrepancies with three conditions of Resolution 2010-12 that were not satisfied.

1. The site must be developed in substantial conformance with the following plans:
 - Survey and site plan date-stamped July 27, 2010 (Page A12)
 - Floor plans date-stamped July 27, 2010
 - Building elevations date-stamped July 27, 2010
 - Stormwater plans date-stamped June 8, 2010 (Page A24)

Unachieved Condition:

- Survey and site plan date stamped July 27, 2010 – The proposed deck was smaller and at a different setback than the deck built. The existing deck is encroaching into the shoreland setback.

	2010 Approval	Deck built	Proposal
Setback	Approx. 40 ft.	Approx. 37 ft.	41 ft.

- Stormwater plans date-stamped June 8, 2010 – The previous applicant proposed a 1,600 square-foot rain garden in the rear yard. There is currently no rain garden or stormwater system on the property.
2. Record a restrictive covenant against the property indicating that no additional impervious surfaces can be added to the site unless it meets the 30 percent maximum impervious surface requirement outlined in the shoreland ordinance.

Unachieved Condition: The site is 40.5 percent impervious surface, and the current proposal is 37.5 percent hardcover. Both exceed the 30 percent maximum requirement. One of the Resolution 2010-12 conditions of approval required that a restrictive covenant was recorded against the property, indicating that no additional impervious surfaces can be added to the site unless it meets the 30 percent maximum impervious surface requirement outlined in the shoreland ordinance. As of the date of this report, the site exceeded the permitted amount of impervious surface coverage. The proposed variance would contradict the restrictive covenant requirement under Resolution 2010-12.

3. Submit final stormwater plans meeting the standards outlined in Appendix A of the Water Resources Management Plan for review and approval by city staff.

Unachieved Condition: The previously proposed rain garden was a condition of approval for the 2010 resolution. That condition is still required. As part of the current proposal, a rain garden or another type of stormwater facility would be a requirement for approval. The stormwater facility would need to meet the size originally required for the 2010 redevelopment of the site.

Previous Plan Submittals

The applicant has submitted several plan versions since the original permit application.

- **Version 1 (05.31.23):** The original proposal included synthetic turf grass near the dock. Staff explained that would increase the impervious surface coverage, which is at present over the city code allowance of 30%. (See page A35 for plan.)
- **Version 2 (06.21.23):** The synthetic turf was removed and the calculations updated.

Staff received the completed variance application on Aug. 10, 2023. Staff researched the history of the property and provided information to the applicant on Aug. 15, 2023, that the property was required to have a stormwater facility after the contractor for the 2010 project approvals did not fulfill the stormwater requirement. Therefore, a revision to include the stormwater facility was required. (See page A36 for plan.)

- **Version #3 (08.23.23):** The underground stormwater facility was added to a site plan for the property. The applicant provided calculations that the site was at 38.13 percent impervious, and the proposed plans would decrease the impervious surface coverage to 37.7 percent.

Natural resource staff reviewed the revised plans and found a discrepancy in the calculations. The applicant was asked to revise their plans with a corrected calculation.

- **Version #4 (08.30.23):** The applicant provided corrected calculations that showed the site was at an existing 43.8 percent impervious. The applicant proposed to keep the site at the same 43.8 percent impervious, with only a 5-square-foot reduction to impervious surface coverage. This was not enough reduction to change the percentage of impervious surface coverage. Staff explained that they would not be supportive of this plan. It was different from the plans originally relayed to reduce the impervious surface coverage. Whereas this version showed the site was at a higher impervious surface coverage than conveyed to staff. (See page A37 for plan.)

The applicant met with city staff at city hall. The planning staff explained that the site needed to drastically reduce the amount of impervious surface coverage for staff support.

- **Version #5 (08.31.23):** The applicant provided a plan the staff were most supportive of. This proposal is the lowest impervious surface calculation of any plan provided by the applicant. The proposal removed the west driveway. (See page A38 for plan.)
- **Version #6 (08.31.23):** The applicant changed their proposal to keep the second driveway after staff explained that removing the driveway meant the curb cut needed to be removed as well. The applicant wants to keep the second driveway presently to accommodate a golf cart. This proposal does lessen the second driveway width. (See page A39 for plan.)

Version	Impervious Existing	Impervious Proposed	Percent Change
1	29.83 percent	29.83 percent	No change
2	38.13 percent	37.78 percent	- 0.35 percent
3	38.13 percent	37.78 percent	- 0.35 percent
4	43.8 percent	43.8 percent	No change
5	40.5 percent	36.8 percent	- 3.7 percent
6	40.5 percent	37.5 percent	- 3 percent

Calculations were confirmed incorrect by Natural Resource staff for all versions except versions five and six.

Current Proposal

The applicant is proposing a new deck with landscaping at the subject property. The new deck is proposed at 41 feet from the OHWL, which is a further setback than the existing deck, a setback at approximately 37 feet. The proposed landscaping would decrease the impervious surface area of the site from 40.5 to 37.5 percent.¹

The overage of impervious surface area and deck encroachment were discovered during a building permit review. From staff research, there is no evidence of site changes since the home reconstruction was completed. Staff believes that the overage of impervious surface area, the unpermitted deck, and the unsatisfied rain garden requirement were created at the time of the home construction in 2011. The current owners bought the property ten years later in 2021.

Proposal Requirements

The proposal requires:

- Replacement to Resolution 2010-12: The previous permit for the site requires a restrictive covenant. The applicant is proposing an increase in the maximum impervious surface coverage, which requires rescinding and replacing the previously approved resolution.

¹ According to Resolution 2010, the impervious surface coverage of the site was 29.98%. The current and proposed impervious surface percentages were provided by the applicant.

- Shoreland setback variance: The zoning ordinance requires a minimum shoreland setback of 50 feet. The applicant is proposing a setback of 41 feet for a deck, which requires a variance.
- Maximum impervious surface variance: The zoning ordinance requires a maximum hard surface coverage of 30 percent for lots within 150 feet of a lake. The applicant is proposing 37.5 percent hard surface coverage, which requires a variance. The existing site conditions are 40.5 percent hardscape.

Staff Analysis

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

- **Reasonable**: The proposed variances are a result of the home's design and location and the existing conditions that did not satisfy the requirements of Resolution 2010-12. The deck cannot be relocated elsewhere on the property to meet the required shoreland or accessory structure setbacks. The proposal would reduce the existing hardcover by removing the stone barrier near the shoreland and installing retaining walls generally in the northwest corner of the property.
- **Unique Circumstance**: The unfulfilled requirements of Resolution 2010-12 do create some difficulty for this property. The existing impervious surface is more than permitted by the city shoreland ordinance. Therefore, any proposal, including a change to hardcover, would have required a variance. The home was approved for an expansion permit in 2010 for a 38-foot setback from the shoreland setback. Any proposed deck on the site would require a variance. That variance was specific to the home reconstruction proposal and not transferable to the deck, which requires a variance.
- **Character of the Locality**: While denying the variances would not deny reasonable use of the property, the shoreland setback variance would bring the property towards compliance than current conditions.

Staff Recommendation

Adopt the resolution rescinding and replacing Resolution 2010-12, and approving shoreland setback and maximum impervious surface variances for 16901 Grays Bay Blvd.

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

Supporting Information

Surrounding Land Uses	<p>Surrounding properties are single-family residential homes, guided low density, zoned R-1</p> <p>Channel from Lake Minnetonka to Lake Libbs immediately north</p>
Planning	<p>Guide Plan designation: Single-family residential Zoning: R-1</p>
Site Features	<p>The site is located at the corner of Grays Bay Boulevard and Lake Shore Boulevard. The property is located on the channel that connects Lake Minnetonka and Libbs Lake. The lot is approximately 12,000 square feet in size with 2,500 square feet of buildable area. The site contains a single-family home that is 7,100 square feet in size.</p> <ul style="list-style-type: none">• Shoreland The channel is regulated as shoreland, and the property is located within the shoreland district for Lake Minnetonka and Libbs Lake.• Floodplain The channel is also regulated as a floodplain in the city's water resources management plan and zoning ordinance.
Original Home	<p>The original home on the property was constructed in 1920, prior to the adoption of the city's first zoning ordinance. The house had legal nonconforming shoreland and front yard setbacks. The house was demolished in April 2010 after a house fire destroyed the original home. The applicant had the right under state law and the city's zoning ordinance to reconstruct the previous house within one year of demolition. The reconstruction would have to match pre-existing conditions, including the exact same footprint, height, and volume.</p> <p>The applicant, the previous homeowner, instead chose to apply for an expansion permit to use the original house's nonconforming setbacks for the construction of the 2010 home.</p>
Current Home stories	<p>The existing house is 7,000 square feet in size. The home is two in height with a finished walk-out basement. There is a two-car attached garage on the main level with access from Lake Shore Boulevard and a one-car tuck-under garage on the basement level from Grays Bay Boulevard. The current house increased the setback from the channel and from Grays Bay Boulevard.</p>
Variance Standard	<p>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</p>

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)

Natural Resources

Best management practices must be followed during the course of site preparation and construction activities. This would include the installation and maintenance of erosion control fencing.

Appeals

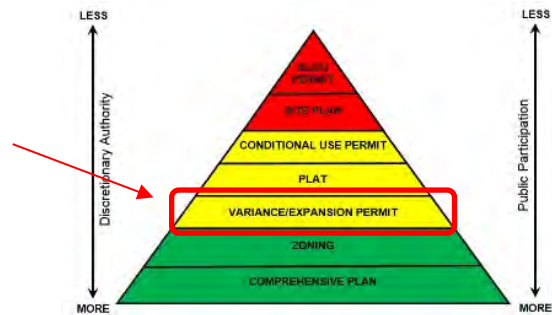
Any person aggrieved by the planning commission's decision about the requested variances may appeal such decision to the city council. A written appeal must be submitted to the planning staff within ten days of the date of the decision.

Neighborhood Comments

The city sent notices to 43 area property owners and received no comments.

Pyramid of Discretion

This proposal:



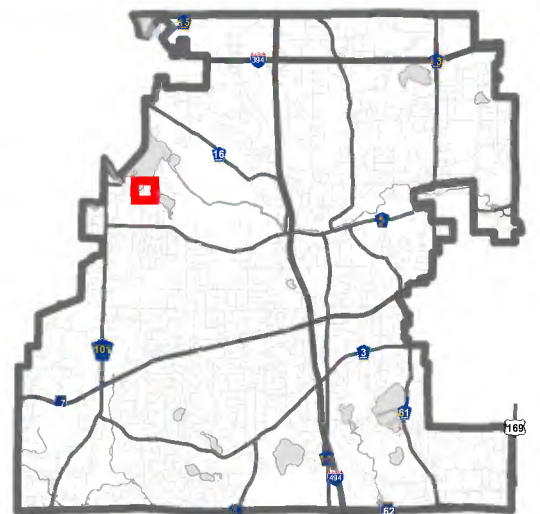
Deadline for Decision

Dec. 8, 2023



Location Map

Project: Davies Residence
Address: 16901 Grays Bay Blvd



Project Description
16901 Grays Bay Blvd
Minnetonka 55391

Southview Design is working with the homeowners at the above address to renovate the backyard landscaping. The existing rip rap and dock are not part of the proposed landscape work. Existing and proposed hardcover calculations are listed on the plan.

The deck builder, DNL Builders, is joining Southview Design in filing for a variance for work at this address. DNL Builders is enlarging the deck slightly and is within the 150' shoreland setback. The deck does not come any closer to property setbacks than before. The stairs are reconfigured to make more sense in the traffic flow. Southview Design is filing because the design adds 2.2 % to the hardcover (from 39.2% to 41.4%) in added boulder walls and stone steps.

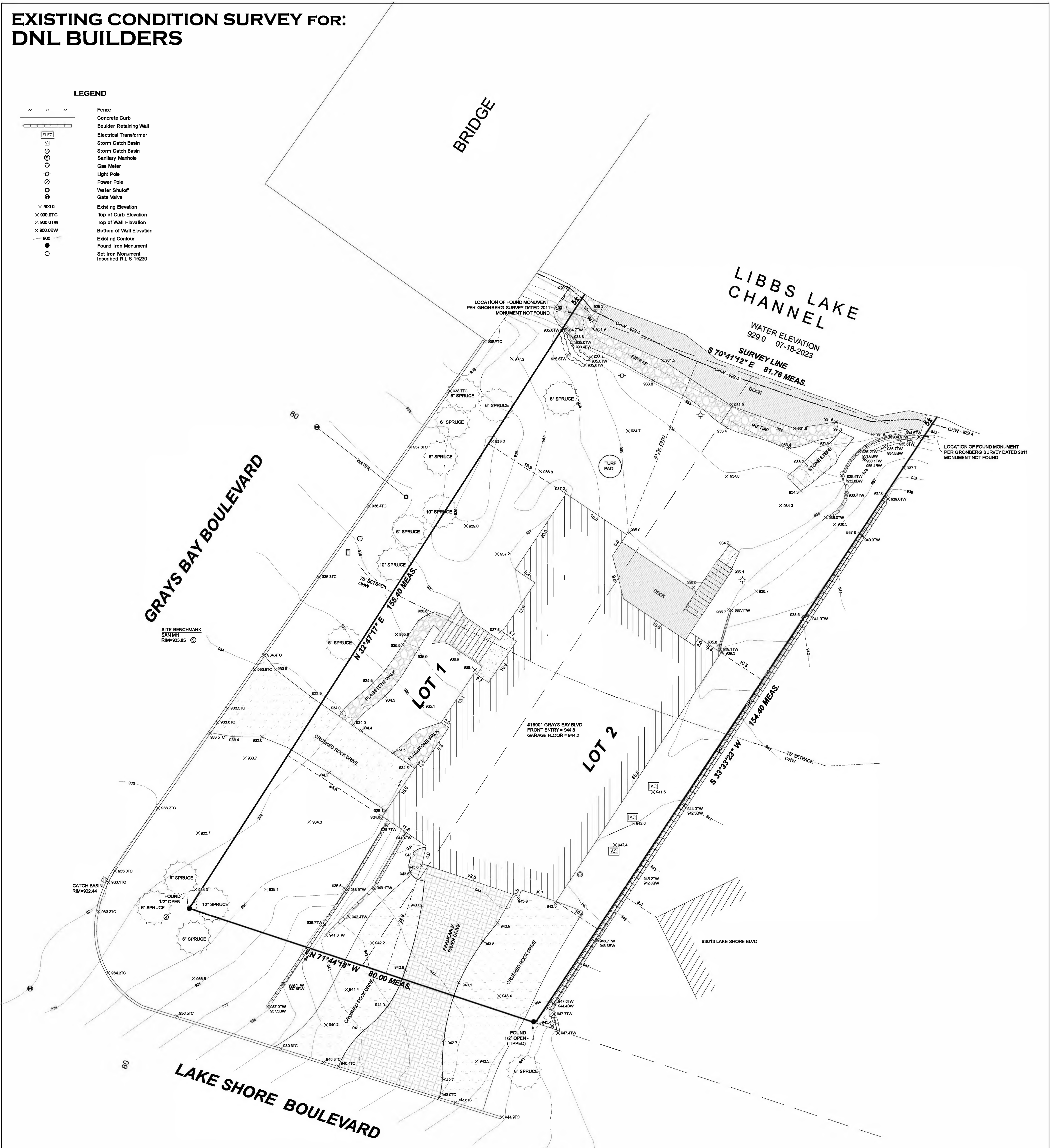
The boulder walls are 2-3.5' in height. The SynLawn near the shoreline is permeable and the cross-section of the work is included with this permit application. Note: The base is aggregate, using $\frac{3}{4}$ buff limestone (which is without fines). The boards are composite so will not break down. The cross-section from the company shows a curb. There is no curb in this project.

Total area of disturbance: 4350 SF

EXISTING CONDITION SURVEY FOR: DNL BUILDERS

LEGEND

	Fence
	Concrete Curb
	Boulder Retaining Wall
	Electrical Transformer
	Storm Catch Basin
	Sanitary Manhole
	Gas Meter
	Light Pole
	Power Pole
	Water Shutoff
	Gate Valve
	Existing Elevation
	Top of Curb Elevation
	Top of Wall Elevation
	Bottom of Wall Elevation
	Existing Contour
	Found Iron Monument
	Set Iron Monument
	Inscribed R.L.S. 15230



EXISTING LOT AREA CALCULATION:

Lot Area (TO OHW) = 12,130 SF

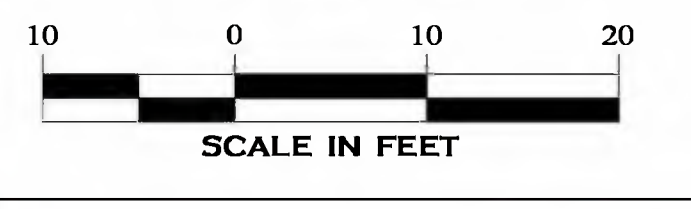
HARDCOVER AREAS:

- House = 3,136 SF
- Permeable Paver Driveway = 0 SF
- Crushed Rock Drives = 638 SF
- Retaining Walls = 205 SF
- Paver & Flagstone Walks = 251 SF
- Stairs = 121 SF
- Rip Rap = 570 SF

Total = 4,921 SF
Hardcover Area = 40.5%
(Dock not included)

GENERAL NOTES:

- Existing building dimensions are measured to siding and not building foundation.
- No title commitment was provided and no research was performed for any easements not shown on this survey.
- Location of utilities shown are from observed evidence in the field and/or plans furnished by others and are considered approximate. Gopher State One Call or a private utility locator should be contacted to locate utilities on the before excavation.



JOB NO. 228-23 E.C.	SCALE 1" = 10'	SITE ADDRESS 16901 Grays Bay Boulevard Minnetonka, MN
BOOK/PAGE C/S	DRAWN C/S	PROPERTY DESCRIPTION Lots 1 & 2, Block 2, Thorpe Bros Reorganization of Groveland Shores, Hennepin County, Minnesota
SHEET 1 of 1 24x36	REFERENCE	SITE BENCHMARK SAN M1 RIM = 933.85

DATE	REVISIONS
07-28-2023	REMARKS
08-30-2023	UPDATE HARDCOVER CALC
08-31-2023	ADD RIP RAP TO HARDCOVER CALC
	CHANGE DRIVEWAY TO PERMEABLE PAVER

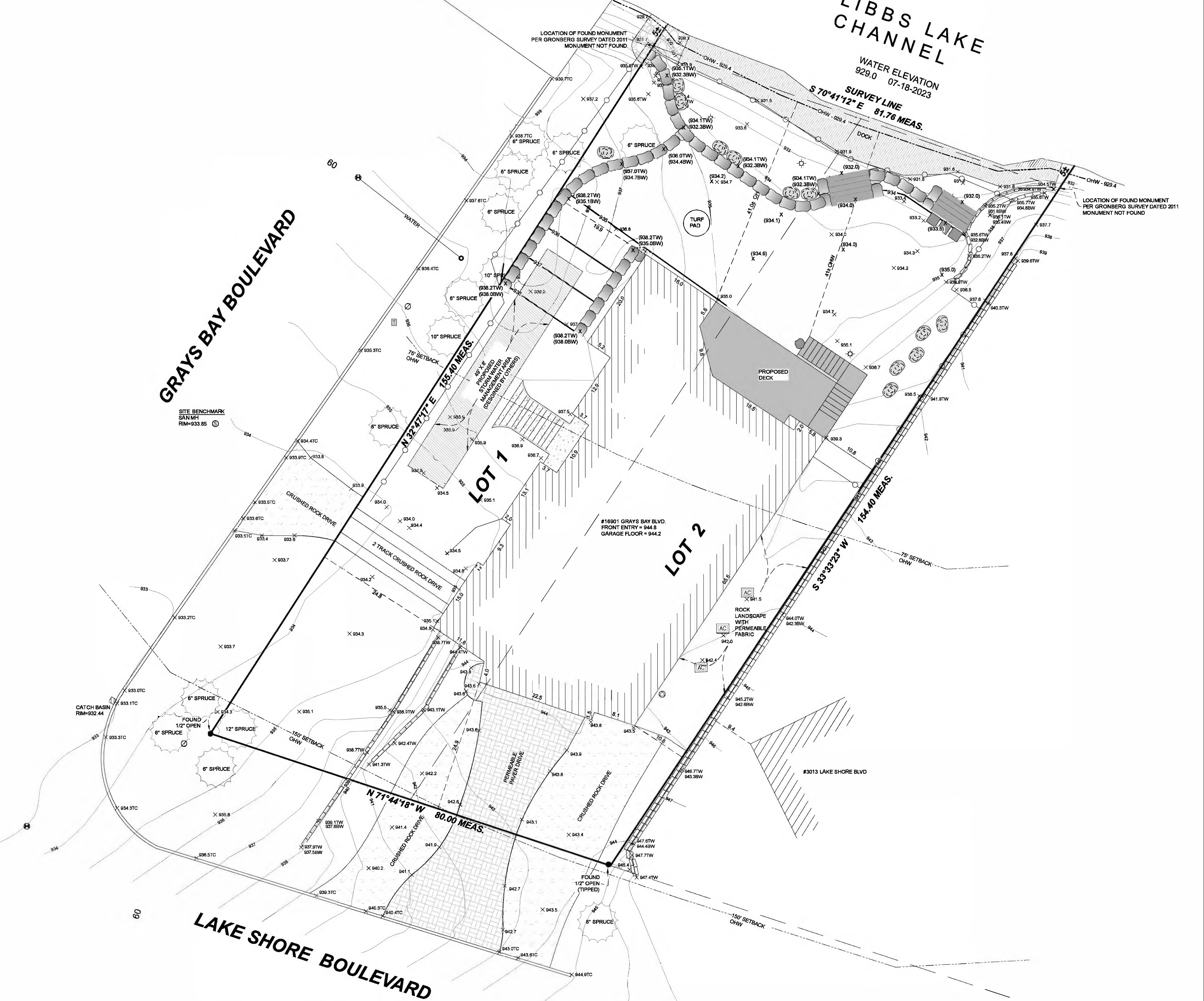
I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly registered Land Surveyor under the laws of the State of Minnesota.	
W. BROWN LAND SURVEYING, INC.	
	DATE: 08-31-2023
WOODROW A. BROWN, R.L.S. MN REG 15230	

W. BROWN LAND SURVEYING, INC.
8030 OLD CEDAR AVENUE SO., SUITE 228
BLOOMINGTON, MN 55425
PH: (952) 854-4055
WBROWNLANDSURVEYING.COM
EMAIL: INFO@WBROWNLANDSURVEYING.COM

PROPOSED DECK AND LANDSCAPING FOR: DNL BUILDERS

LEGEND

- Fence
- Silt Fence
- Concrete Curb
- Boulder Retaining Wall
- Electrical Transformer
- Storm Catch Basin
- Sanitary Manhole
- Gas Meter
- Light Pole
- Power Pole
- Water Shutoff
- Gate Valve
- Existing Elevation
- Top of Curb Elevation
- Top of Wall Elevation
- Bottom of Wall Elevation
- Existing Contour
- Found Iron Monument
- Set Iron Monument
- Inscribed R.L.S. 15230



EXISTING LOT AREA CALCULATION:

Lot Area (TO OHW) = 12,130 SF

HARDCOVER AREAS:

House = 3,136 SF
 Permeable Paver Driveway = 0 SF
 Crushed Rock Drives = 638 SF
 Retaining Walls = 205 SF
 Paver & Flagstone Walks = 251 SF
 Stairs = 121 SF
 Rip Rap = 570 SF
 Total = 4,921 SF
 Hardcover Area = 40.5%
 (Dock not included)

PROPOSED LOT AREA CALCULATION:

Lot Area (TO OHW) = 12,130 SF

HARDCOVER AREAS:

House = 3,136 SF
 Permeable Paver Driveway = 0 SF
 Crushed Rock Drives = 638 SF
 Crushed Drive Removed = -185 SF
 Retaining Walls = 205 SF
 Retaining Wall Removed = -15 SF
 Proposed Retaining Walls = 294 SF
 Paver & Flagstone Walks = 251 SF
 Paver & Flagstone Walks Removed = -251 SF
 Stairs = 121 SF
 Proposed Stone Steps = 72 SF
 Rip Rap = 570 SF
 Rip Rap Removed = -277 SF
 Total = 4,959 SF
 Hardcover Area = 37.5%
 (Dock not included)

GENERAL NOTES:

- Existing building dimensions are measured to siding and not building foundation.
- No title commitment was provided and no research was performed for any easements not shown on this survey.
- Location of utilities shown are from observed evidence in the field and/or plans furnished by others and are considered approximate. Gopher State One Call or a private utility locator should be contacted to locate utilities on the before excavation.



JOB NO. 228-23 PROP	SCALE 1" = 10'	SITE ADDRESS 16901 Grays Bay Boulevard Minnetonka, MN
BOOK/PAGE DRAWN GUS REFERENCE	DATE 08-30-2023	PROPERTY DESCRIPTION Lots 1 & 2, Block 2, Thorpe Bros Rearrangement of Groveland Shores, Hennepin County, Minnesota
SHEET 1 of 1 24x36	DATE 08-31-2023	SITE BENCHMARK SAN M1 RIM = 933.85

REVISIONS	REMARKS
08-30-2023	ADD RIP RAP TO IMPERVIOUS SURFACE CALCULATIONS
08-31-2023	REMOVE WALLS AND PART OF ROCK DRIVEWAY - UPDATE CALC

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

 WOODROW A. BROWN, R.L.S. MN REG 15230
 DATED: 07-28-2023

W. BROWN LAND SURVEYING, INC.
 8030 OLD CEDAR AVENUE SO., SUITE 228
 BLOOMINGTON, MN 55425
 PH: (952) 854-4055
 WBROWNLANDSURVEYING.COM
 EMAIL: INFO@WBROWNLANDSURVEYING.COM

Incorrect calculations (See A5 for accurate numbers)

Existing Hardcover		Proposed Hardcover	
Lot Area	12,278 sq ft	Lot Area	12,278 sq ft
Boulder Walls	119 sq ft	Ex. Boulder Walls	119 sq ft
Driveway	368 sq ft	Ex. Driveway	368 sq ft
Entry	164 sq ft	Ex. Entry	164 sq ft
House	3,130 sq ft	Ex. House	3,130 sq ft
Rip Rap	900 sq ft	Ex. Rip Rap	481 sq ft
Total	4,681 sq ft	Prop. Boulder Walls	289 sq ft
Percentage	38.13%	Prop. Stone Steps	88 sq ft
		Total	4,639 sq ft
		Percentage	37.78%

SURVEY NOTES:

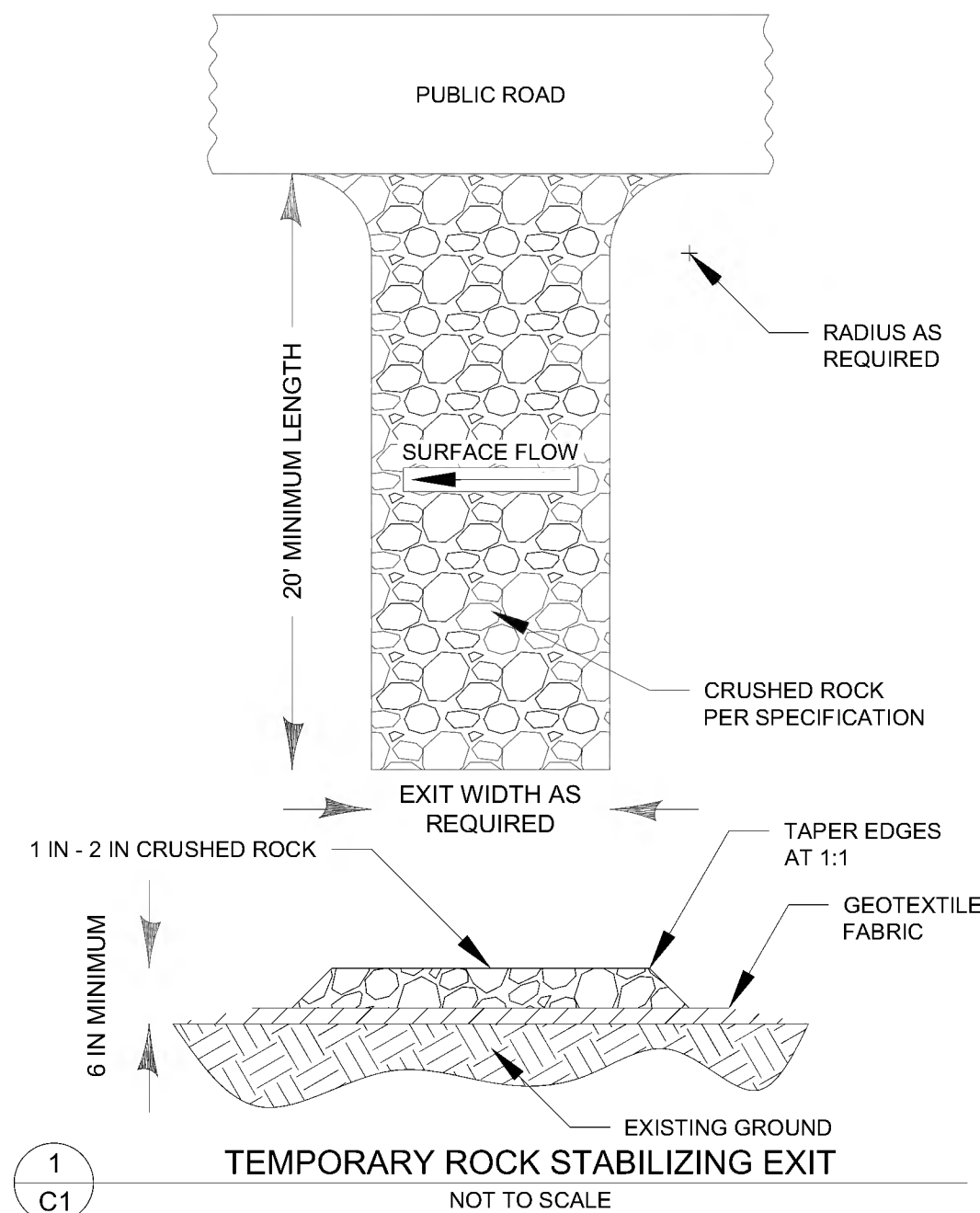
HARDCOVER AND LOT AREA CALCULATIONS PER SOUTHVIEW DESIGN

EROSION CONTROL NOTES:

1. ALL EROSION AND SEDIMENT CONTROL BMP'S (I.E. SILT FENCE, BIO-ROLLS, ROCK CONSTRUCTION EXIT, INLET PROTECTION, ETC.) SHALL BE INSTALLED PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION ACTIVITY.
2. INLET PROTECTION SHALL BE INSTALLED AT ANY INLET THAT MAY RECEIVE RUNOFF FROM THE DISTURBED AREAS OF THE PROJECT. INLET PROTECTION MAY BE REMOVED FOR A PARTICULAR INLET IF A SPECIFIC SAFETY CONCERN (FLOODING / FREEZING) HAS BEEN IDENTIFIED. THE PERMITTED MUST RECEIVE WRITTEN CORRESPONDENCE FROM THE CITY ENGINEER VERIFYING THE NEED FOR REMOVAL.
3. INSTALL SEDIMENT CONTROL BMP'S, SUCH AS SILT FENCE, AROUND ALL STOCKPILES.
4. RETAIN AND PROTECT AS MUCH NATURAL VEGETATION AS FEASIBLE. WHEN VEGETATION IS REMOVED DURING DEVELOPMENT, THE EXPOSED CONDITION OF LAND SHALL BE KEPT TO THE SHORTEST PRACTICAL PERIOD OF TIME, BUT NOT LONGER THAN 60 DAYS. ANY EXPOSED AREAS EXCEEDING THIS TIME-FRAME SHALL BE TEMPORARILY STABILIZED (STRAW MULCH, WOODCHIPS, ROCK). AREAS BEING USED FOR MATERIAL STORAGE AND AREAS UNDER CONSTRUCTION ARE EXEMPT FROM TEMPORARY STABILIZATION.
5. ANY STEEP SLOPES (3H : 1V OR STEEPER) EXPOSED DURING CONSTRUCTION SHALL BE PROTECTED WITH TEMPORARY VEGETATION, MULCHING OR BY OTHER MEANS ACCEPTABLE TO THE BUILDING OFFICIAL WITHIN 14 DAYS OF CEASING LAND DISTURBING ACTIVITIES ON THE STEEP SLOPES. STOCKPILES MAY BE PROTECTED BY AN ANCHORED TARP OR PLASTIC SHEET.
6. PROVIDE DUST CONTROL AS NECESSARY. DUST CONTROL CAN INCLUDE WATER.
7. REMOVE ALL SOILS AND SEDIMENTS TRACKED OR OTHERWISE DEPOSITED ONTO PUBLIC PAVEMENT AREAS ON A DAILY BASIS OR AS NEEDED.
8. ALL EROSION AND SEDIMENT CONTROL BMP'S SHALL BE INSPECTED EVERY 7 DAYS, OR WITHIN 24 HOURS OF ALL RAIN EVENTS GREATER THAN 1.0" IN 24 HOURS. CORRECTIVE ACTION REQUIRED SHALL BE INITIATED WITHIN 24 HOURS.
9. SILT FENCE, BIO-ROLLS AND INLET PROTECTION DEVICES MUST BE REPAIRED, REPLACED OR SUPPLEMENTED WHEN THEY BECOME NONFUNCTIONAL OR THE SEDIMENT REACHES 1/3 THE HEIGHT OF THE DEVICE. THESE REPAIRS MUST BE MADE WITHIN 24 HOURS OF DISCOVERY, OR AS SOON AS FIELD CONDITIONS ALLOW.
10. AFTER FINAL GRADING HAS BEEN COMPLETED, EXPOSED SOILS MUST BE PERMANENTLY STABILIZED AS SOON AS POSSIBLE. PERMANENT STABILIZATION SHALL CONSIST OF 4 INCHES TOPSOIL, AND SEED, MULCH AND FERTILIZER APPLIED BY METHODS AND RATES RECOMMENDED IN MN/DOT SPECIFICATION 2575 AND MN/DOT SEEDING MANUAL, OR SOD. THE SEED MIX SHALL BE MN/DOT 25-151.
11. NO CONCRETE WASHOUT ALLOWED ON SITE, TRUCK BASED SELF CONTAINMENT WASHOUT DEVICES REQUIRED.
12. OIL STAINS ON CITY STREETS SHALL BE CLEANED UP WITH FLOOR DRY, AND DISPOSED OF AS A HAZARDOUS WASTE MATERIAL.
13. ALL HAZARDOUS WASTE SHALL BE STORED CLEANED UP AND DISPOSED OF PER EPA STANDARDS.
14. ALL EROSION AND SEDIMENT CONTROL DEVICES SHALL BE MAINTAINED UNTIL ALL DISTURBED AREAS HAVE BEEN PERMANENTLY STABILIZED.
15. ALL EROSION AND SEDIMENT CONTROL DEVICES SHALL BE REMOVED FROM THE SITE AFTER PERMANENT STABILIZATION HAS BEEN ESTABLISHED.
16. TEMPORARY PUMPED DISCHARGE POLLUTION PREVENTION TECHNIQUES: "DANDY DEWATERING BAG" BROCK WHITE CO. USA.

REFERENCE NOTES

- ① CONNECT DOWNSPOUT TO DRAINTILE
- ② CONNECT 4" DRAINTILE TO 4" DRAINTILE WITH TEE



STORMWATER MANAGEMENT REQUIREMENTS:

ONSITE RETENTION REQUIREMENT:
1.0-INCH STORM EVENT OVER TOTAL IMPERVIOUS AREA

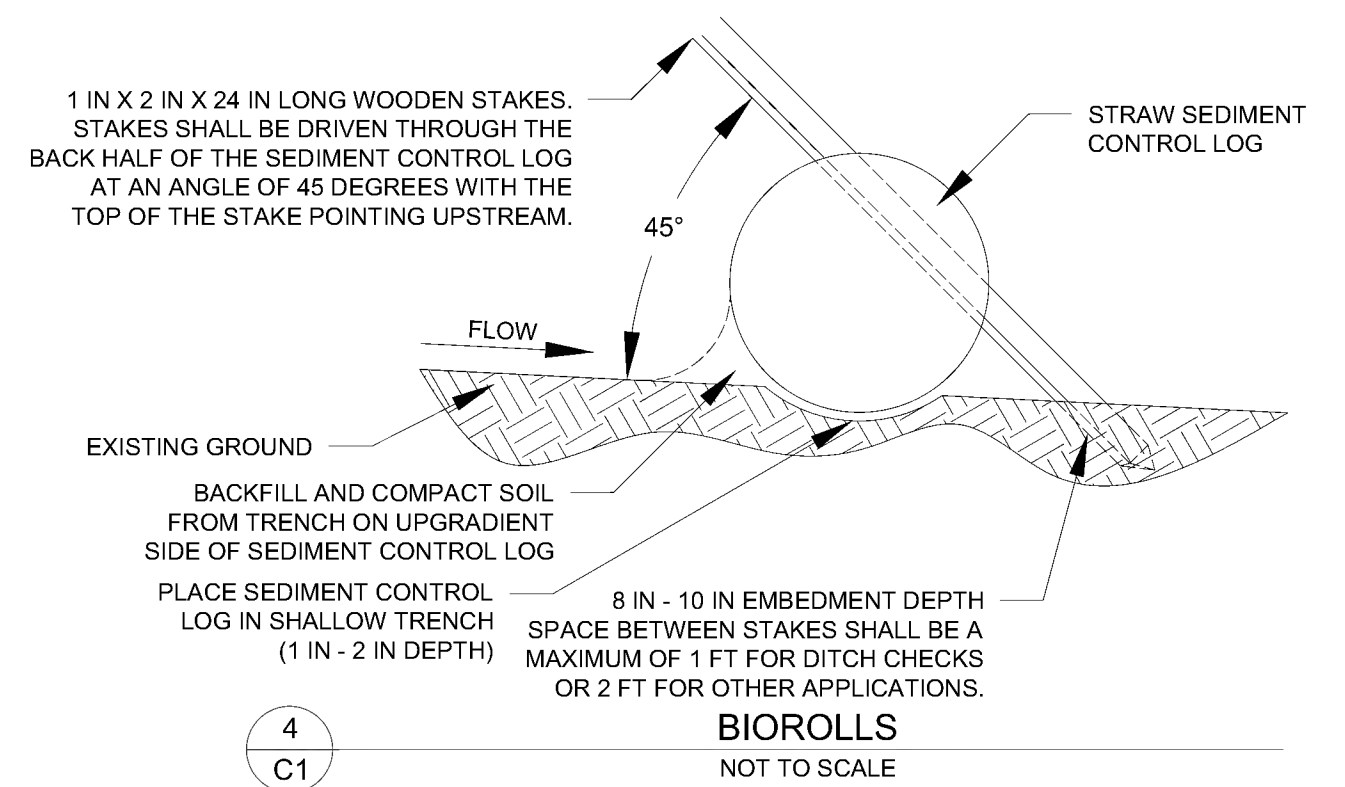
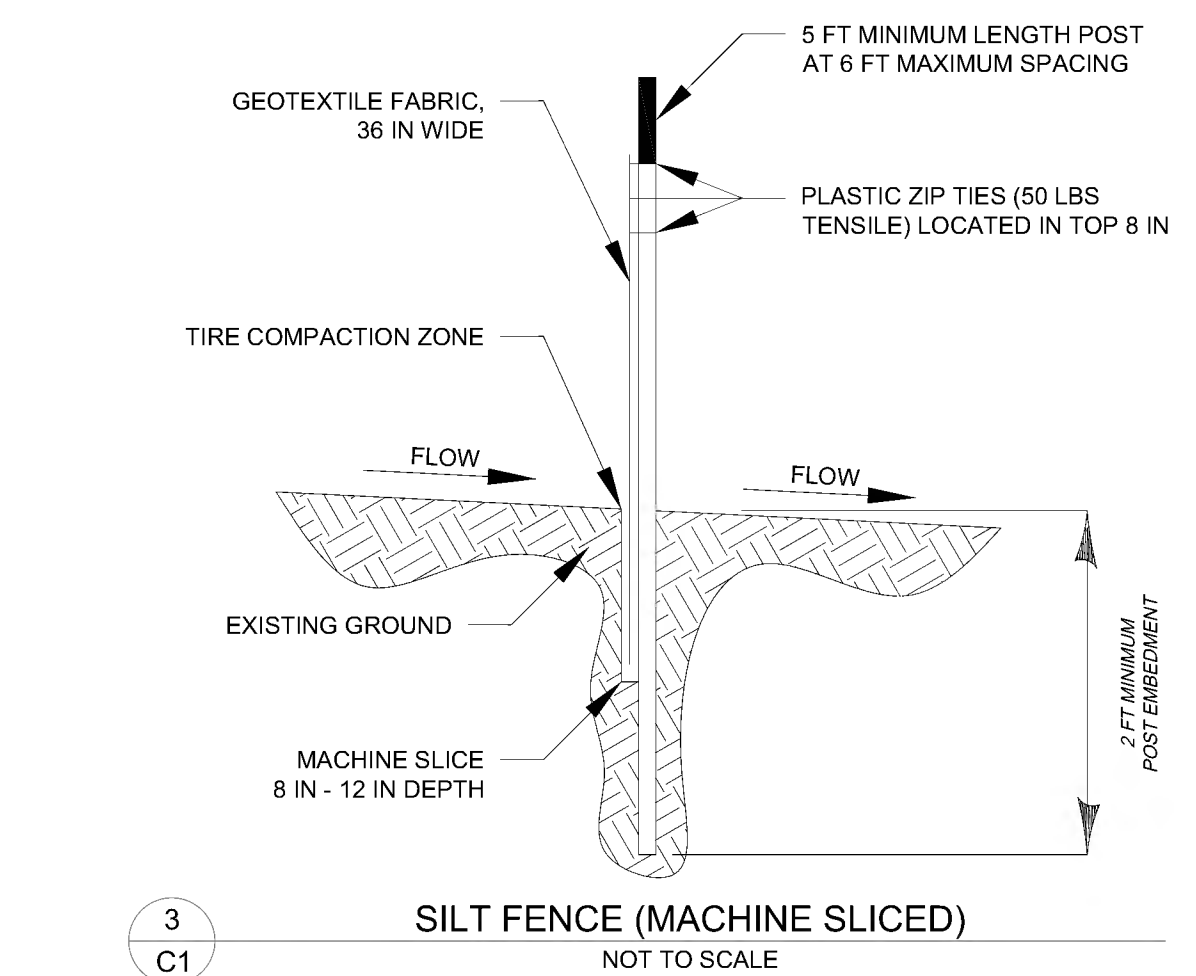
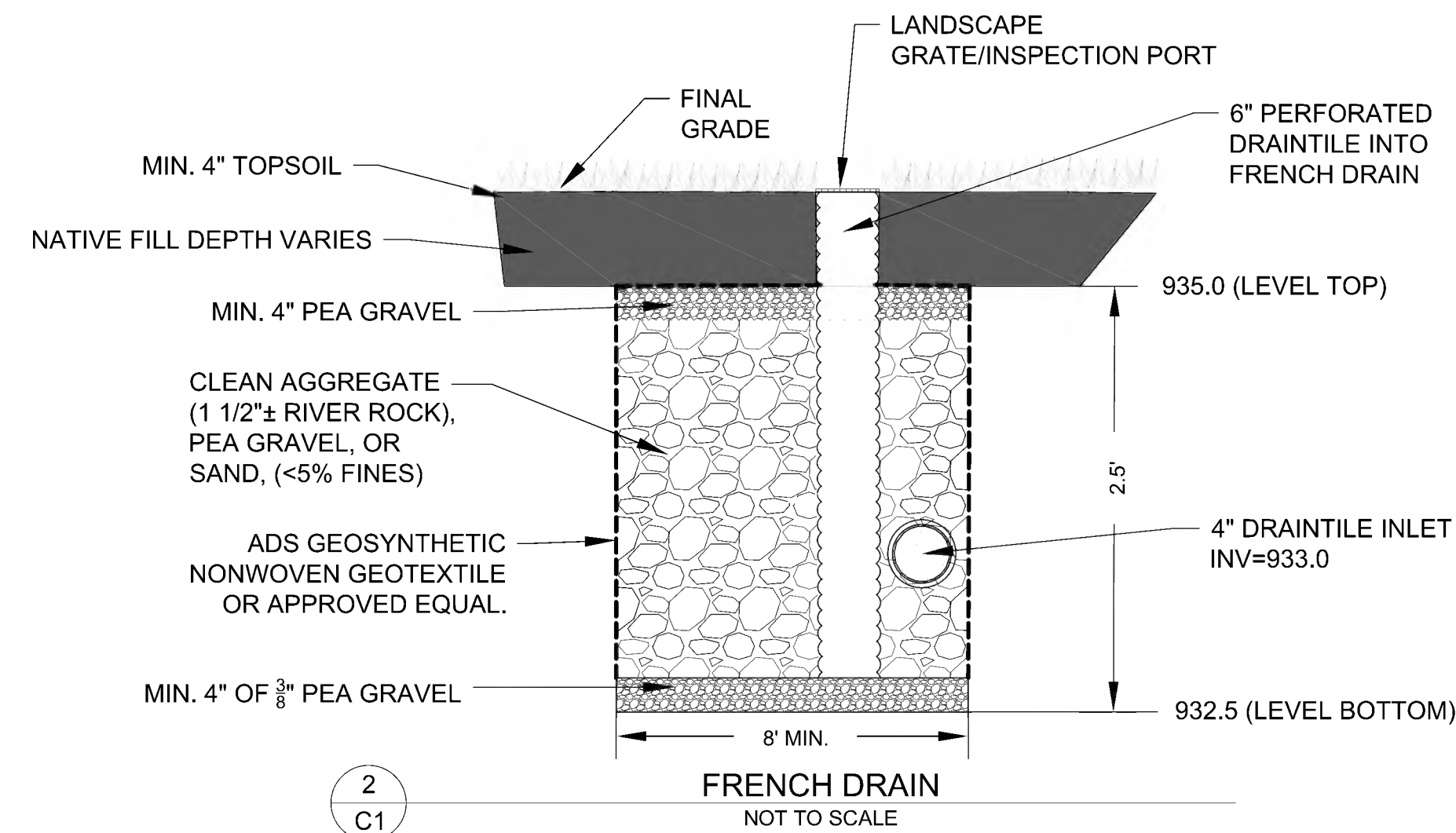
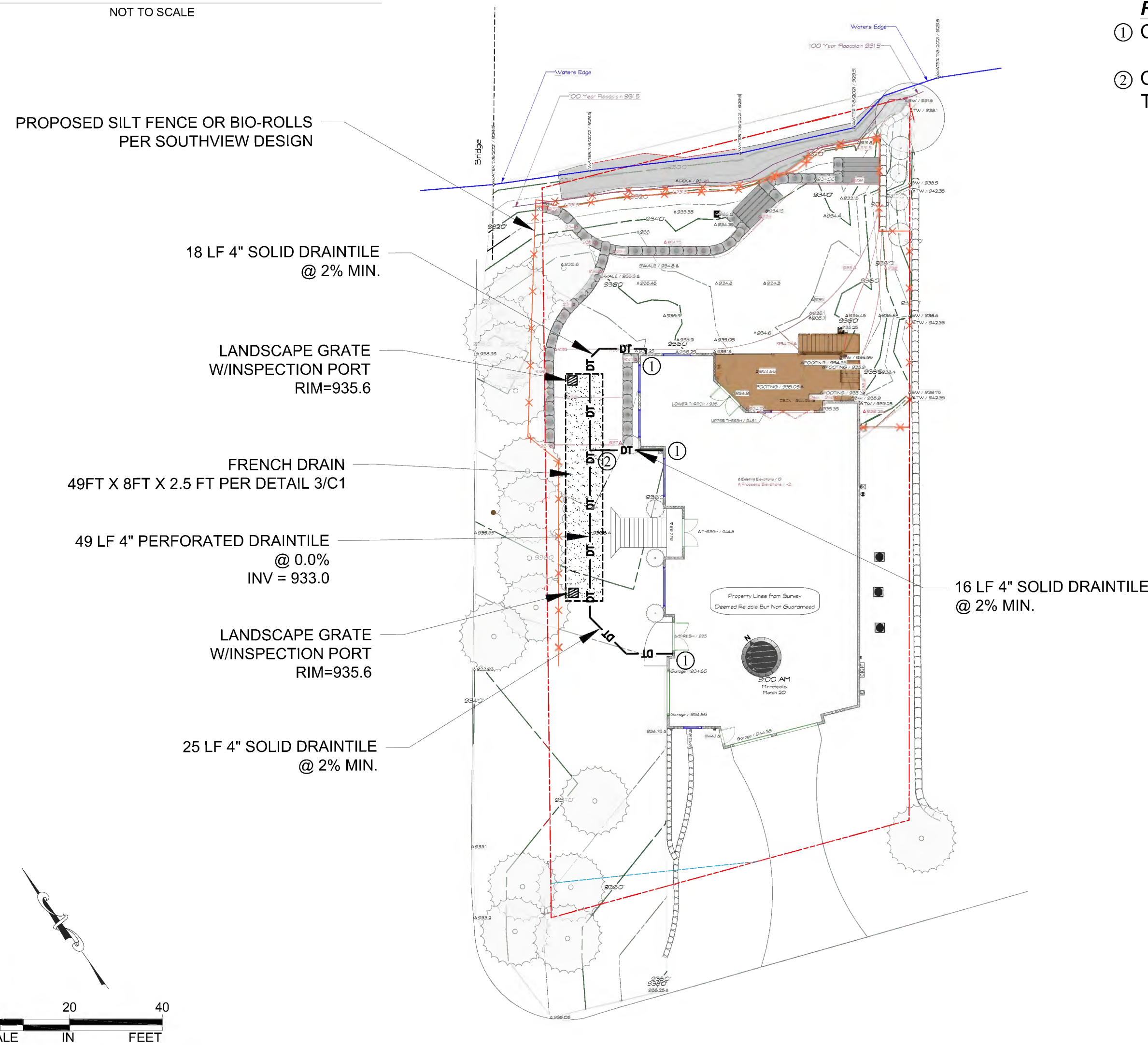
4,639 SF TOTAL PROPOSED IMPERVIOUS AREA

REQUIRED STORAGE FOR 1.0-INCH STORM EVENT:
4,639 SF X (1.0/12) FT = 387 CF

INFILTRATION WILL PROVIDE ONSITE RETENTION IN PROPOSED FRENCH DRAIN:

49 FT X 8 FT X 2.5 FT X 0.40 (40% VOIDS) = 392 CF

F:\survey\thorpe bros re-arrangement groveland shores - hennepin\1-2-22 thorpe bros rearrangement groveland\01 Surveying - 9048701 CAD\01 Source\01 Survey Base.dwg



DESIGNED BY: JAP	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.				
DRAWN BY: ABL					
CHECKED BY: GRP		JEFFREY A. PRASCH, P.E.			
		DATE: 08.23.23	LIC. NO.: 52706		

REVISIONS	

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

SOUTHVIEW DESIGN
2383 PILOT KNOB ROAD, ST. PAUL,
MINNESOTA 55120

LOTS 1 & 2, BLOCK 2, THORPE BROS
REARRANGEMENT GROVELAND SHORES
16901 GRAYS BAY BOULEVARD
MINNETONKA, MN

STORMWATER AND
EROSION CONTROL PLAN

PROJECT: 90487

SHEET NO.

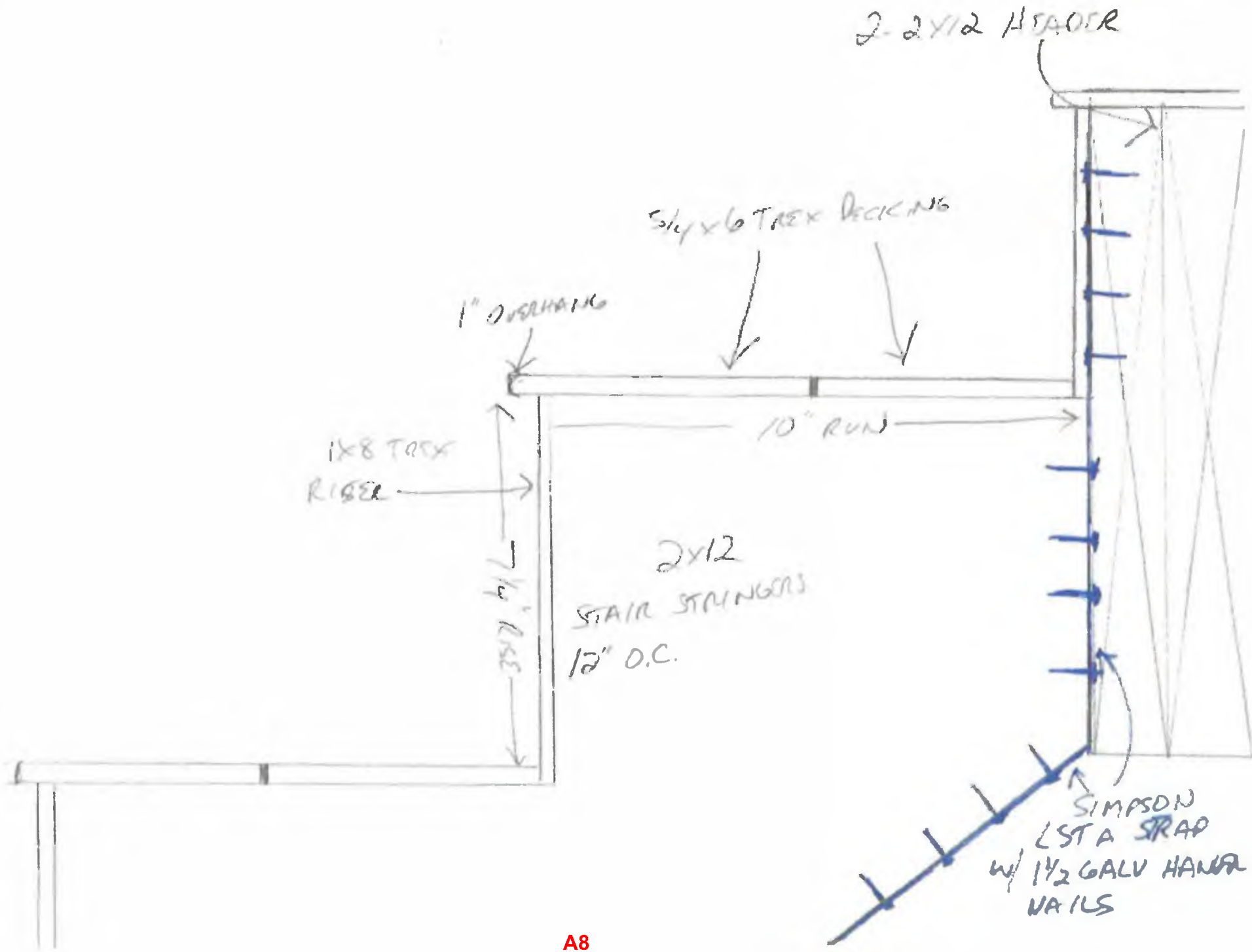
C1 OF C1

- X - DENOTES HELICAL PIER + LONG POST
- X - DENOTES OPISD DIAMOND PIER @ MID LANDING
- DENOTES DOUBLE 2X12 FLUSH BEAM

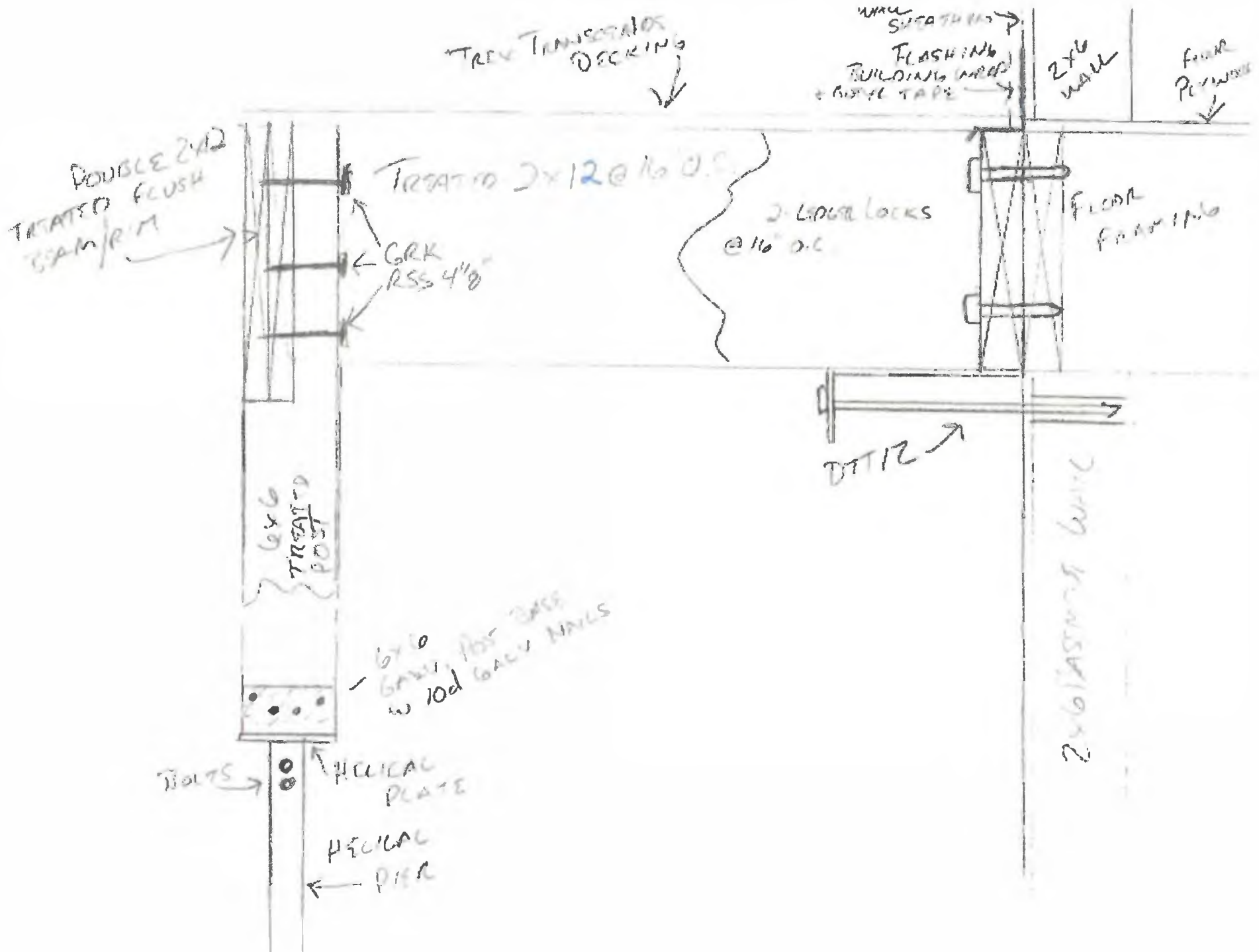


	Designer Josh Keller	Measure Input	<p align="center">Benjamin Davies Deck Detail</p> <p>18861 Grays Bay Blvd Minnetonka, MN 55391</p>	E 4/21/23 Par 1 C 4/21/23 Par 1 C 4/21/23 Par 1	<p>2884 Rice Street NE Maple Heights, MN 55126</p> <p>Phone: 651-253-8090 Fax: 651-450-1734 SouthviewDesign.com</p>	
	Design Associate Design Assoc.	Measure Team		NO		Date
Sheet 6 of 6	Print Date: 2023-04-14 File Name: 2023_C3_14_Deck.dwg	Released By:		Date Released: / /		NO





A8



TREX TRANSOM DECKING

WALL SHEATHING
FLASHING BUILDING WRAP + GYPSUM TAPE

2x6 WALL

FLOOR FINISH

DOUBLE 2x4 TREATED FLUSH BEAM/RIM

TREATED 2x12 @ 16" O.C.

GRK RSS 4" @

2-LAYER LOCKS @ 16" O.C.

FLOOR FRAMING

6x6 TREATED POST

BT 1/2"

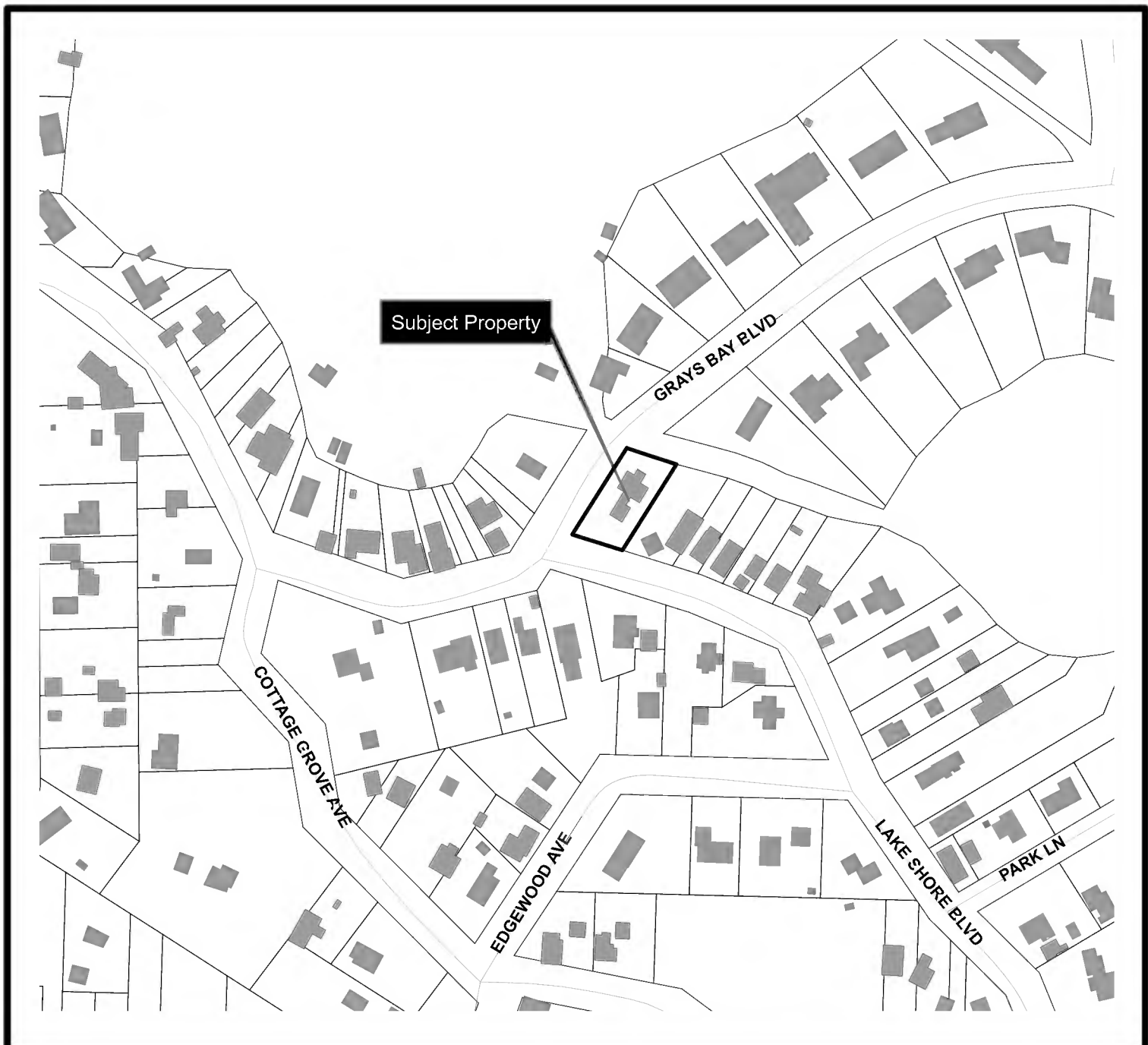
2x6 TRANSOM W/ MC

6x6 GAWL POST BASE W 10d GAWL NAILS

BOLTS

HELICAL PLATE

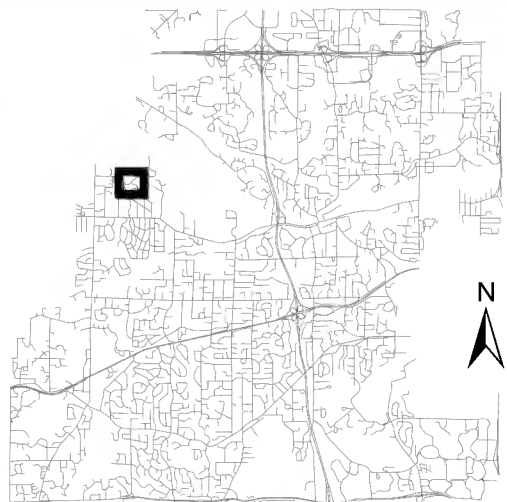
HELICAL PIER



LOCATION MAP

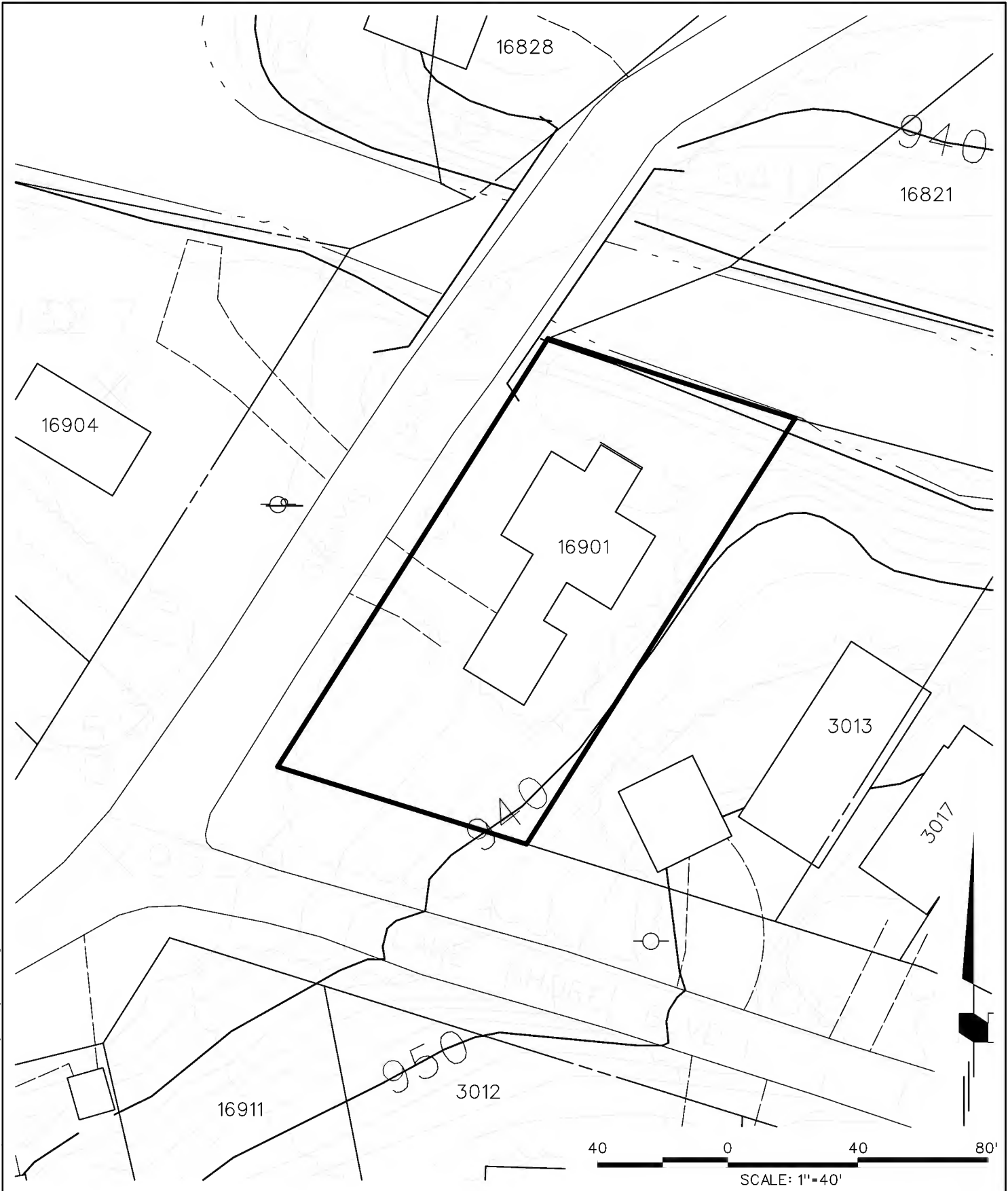


Project and Applicant: Paul Vogstrom
Address: 16901 Gray's Bay Boulevard
(10007.10b)



This map is for illustrative purposes only.

PAUL VOGSTROM
16901 GRAYS BAY BLVD
PROJECT NO 10007.10B



PATH: 16901 Grays Bay Blvd.dgn
 PLOTTED BY: sorndt

DISCLAIMER

This drawing is not a legally recorded plat or an accurate survey. It is intended to be only an approximate representation of information from various government offices and other sources. It should not be used for a purpose that requires exact measurement or precision. People who use this drawing do so at their own risk. The City of Minnetonka is not responsible for any inaccuracies contained in the drawing. The City of Minnetonka provides no warranty, express or implied, about the correctness of the information.

City of minnetonka
 14600 MTKA BLVD, MTKA, MN. 55345 PH: 952-939-8200

SCALE:
 1" = 40'
 DATE:
 6/11/2010

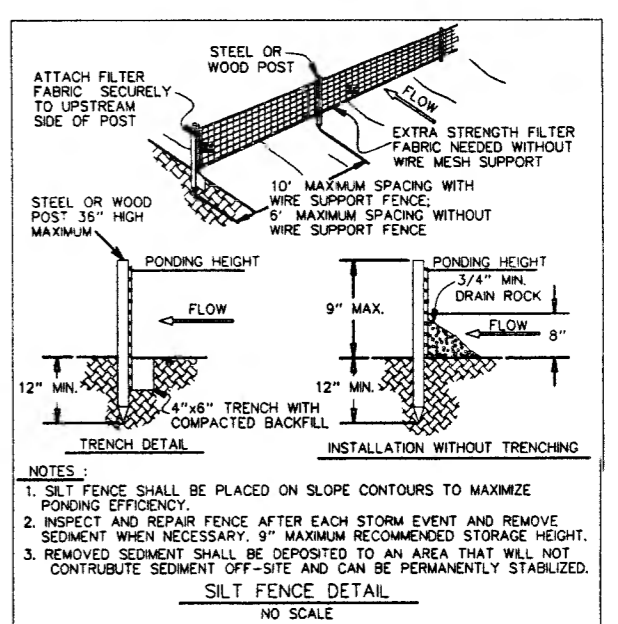
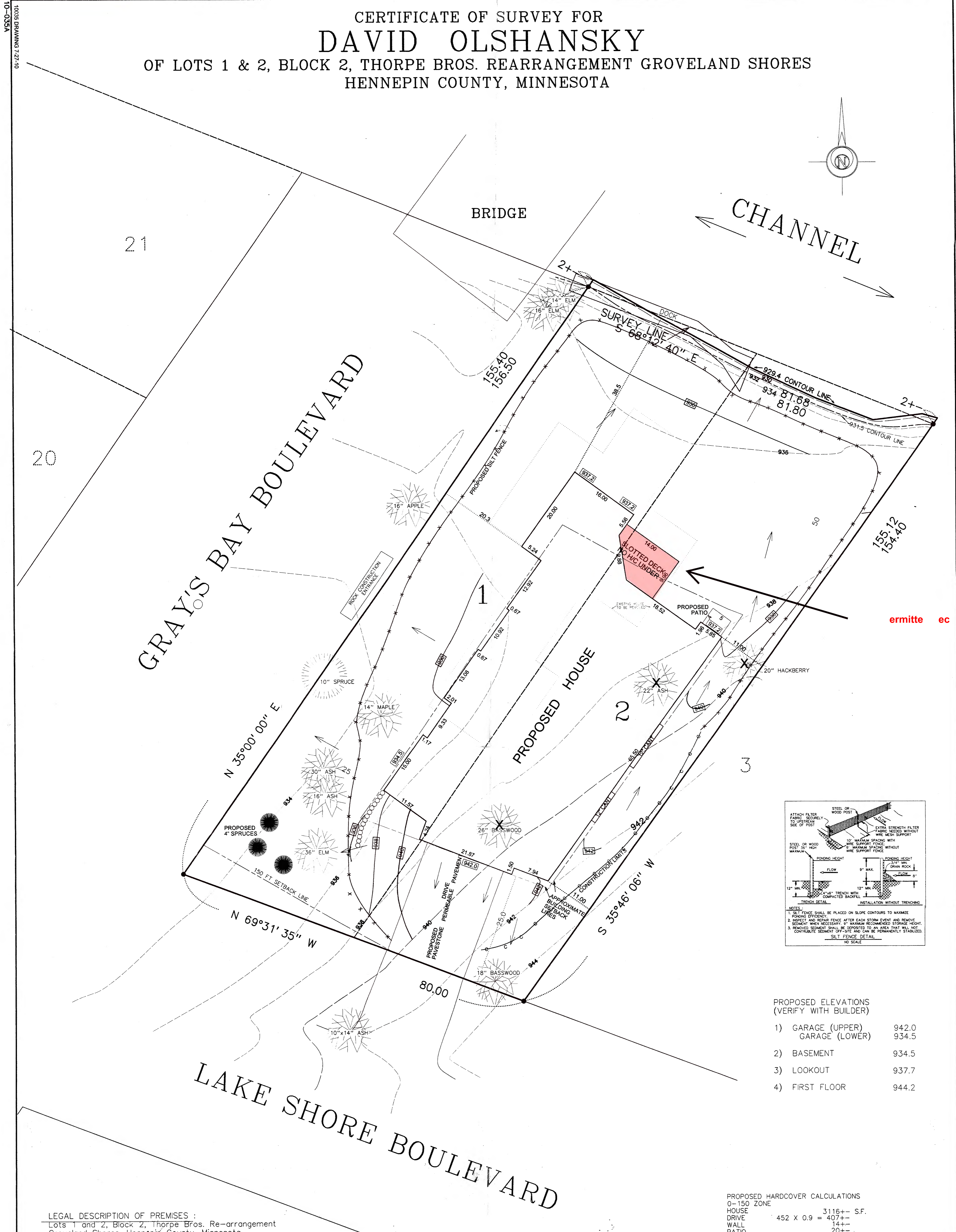
16901 GRAYS BAY BLVD.
PAUL VOGSTROM
16901 GRAYS BAY BLVD
PROJECT NO 10007.10B



A

SITE PLAN

CERTIFICATE OF SURVEY FOR DAVID OLSHANSKY OF LOTS 1 & 2, BLOCK 2, THORPE BROS. REARRANGEMENT GROVELAND SHORES HENNEPIN COUNTY, MINNESOTA



PROPOSED ELEVATIONS (VERIFY WITH BUILDER)

1) GARAGE (UPPER)	942.0
GARAGE (LOWER)	934.5
2) BASEMENT	934.5
3) LOOKOUT	937.7
4) FIRST FLOOR	944.2

PROPOSED HARDCOVER CALCULATIONS

0-150 ZONE	
HOUSE	3116+- S.F.
DRIVE	452 X 0.9 = 407+-
WALL	14+-
PATIO	20+-
TOTAL	3557+- S.F.

LOT AREA 0-150 11866+- S.F.
3557/11866 X 100 = 29.98% HARDCOVER

LEGAL DESCRIPTION OF PREMISES :
Lots 1 and 2, Block 2, Thorpe Bros. Re-arrangement
Groveland Shores, Hennepin County, Minnesota

- : denotes iron marker found
- (908.3): denotes existing spot elevation, mean sea level datum
- [910.8]: denotes proposed spot elevation, mean sea level datum
- 917-: denotes existing contour line, mean sea level datum
- [904]-: denotes proposed contour line, mean sea level datum

Bearings shown are based upon an assumed datum.

X DENOTES TREE TO BE REMOVED

This survey intends to show the boundaries of the above described property, the location of an existing house, to be removed, existing topography and spot elevations, and the proposed location of a proposed house, driveway, topography, and spot elevations thereon. It does not purport to show any other improvements or encroachments.

REVISIONS DATE BY REMARKS 4-21-10 REVISED HOUSE AND GRADES 5-13-10 REVISED HARDCOVER 5-19-10 SHORE REVISED, TREES ADDED 7-28-10 REVISED HOUSE & HARDCOVER		DESIGNED DRAWN CHECKED DATE 7-28-10 MINN. LICENSE NUMBER 12757	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 AND LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA. 	DATE 2-16-10 SCALE 1"=10' JOB NO. 10-035A SHEET OF SHEETS	GRONBERG & ASSOCIATES, INC. CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS 445 N. WILLOW DRIVE LONG LAKE, MN 55356 PHONE: 952-473-4141 FAX: 952-473-4435
---	--	---	---	--	--

ELEVATIONS



EXISTING ROOF LINE



FRONT ELEVATION

RECEIVED
JUL 27 2010
CITY OF MINNETONKA

Olshansky Residence
16901 Gray's Bay Blvd
Minnetonka

SCALE:
1/8" = 1'-0"

DESIGN BY:
Paul T. Vogstrom
DATE: 7-27-10

PAUL VOGSTROM
16901 GRAYS BAY BLVD
PROJECT NO 10007.10B

ELEVATIONS



LEFT ELEVATION



RIGHT ELEVATION

SCALE:
1/8" = 1'-0"

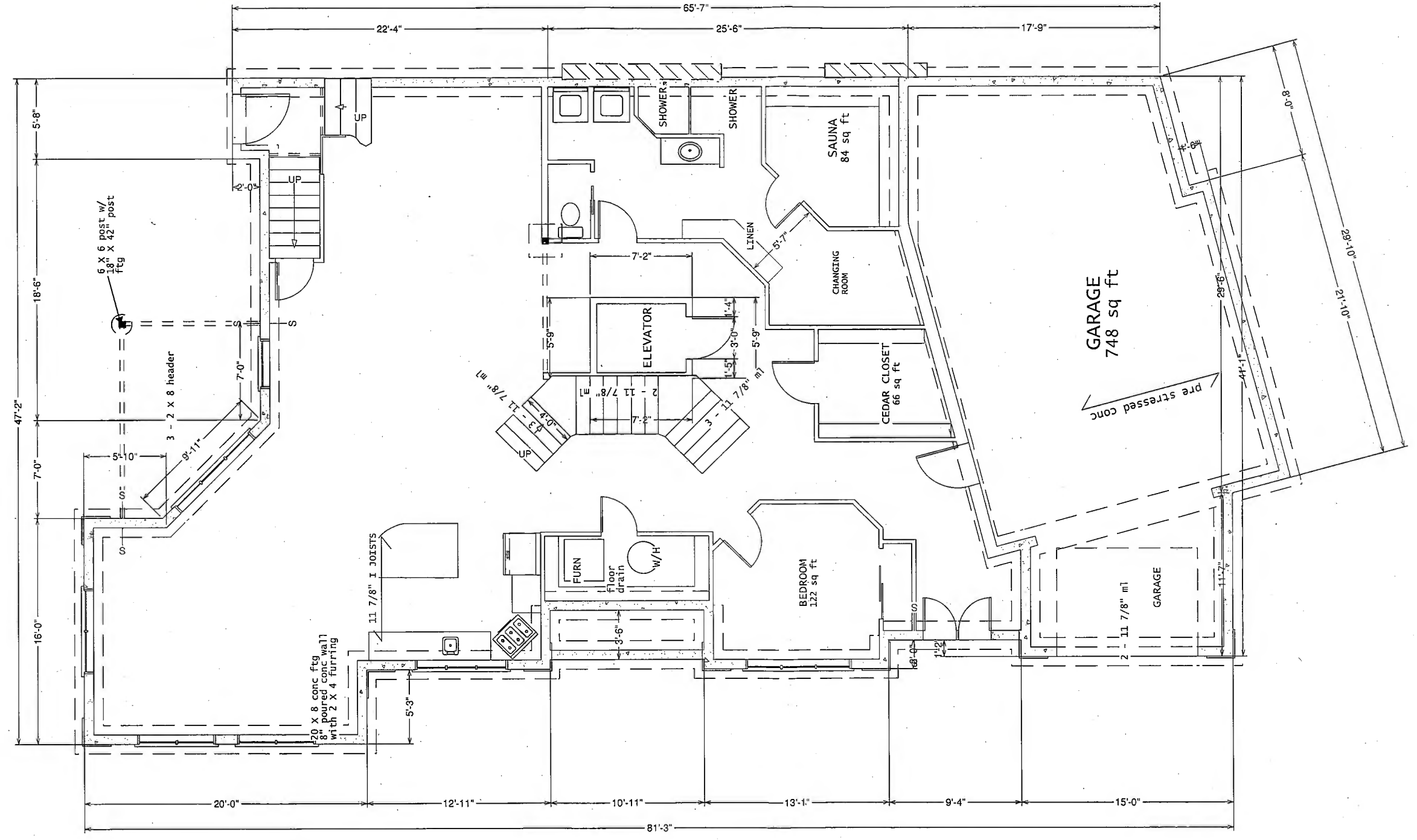
Olshansky Residence
16901 Gray's Bay Blvd
Minnetonka

RECEIVED
JUL 27 2010
CITY OF MINNETONKA

DESIGN BY:
Paul T. Vogstrom

DATE: 7-27-10

FLOOR PLAN - BASEMENT



BASEMENT PLAN
3184 sq ft

SCALE:
1/8" = 1'-0"

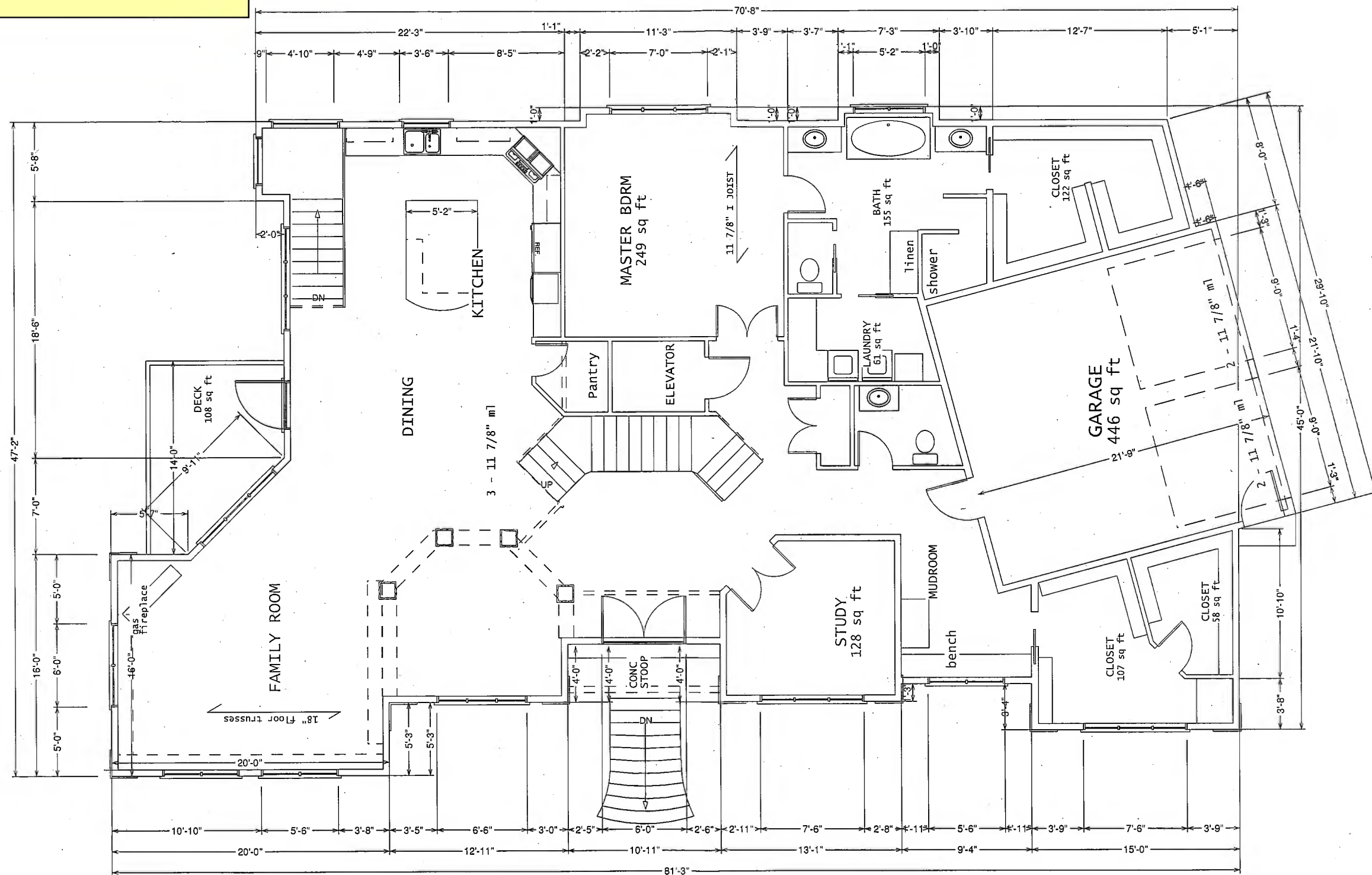
Olshansky Residence
16901 Gray's Bay Blvd
Minnetonka

RECEIVED
JUL 27 2010
CITY OF MINNETONKA

DESIGN BY:
Paul T. Vogstrom
DATE: 7-27-10

PAUL VOGSTROM
16901 GRAYS BAY BLVD
PROJECT NO 10007.10B

FLOOR PLAN - MAIN LEVEL



MAIN FLOOR PLAN
3079 sq ft
INCLUDES 489 sq ft GARAGE

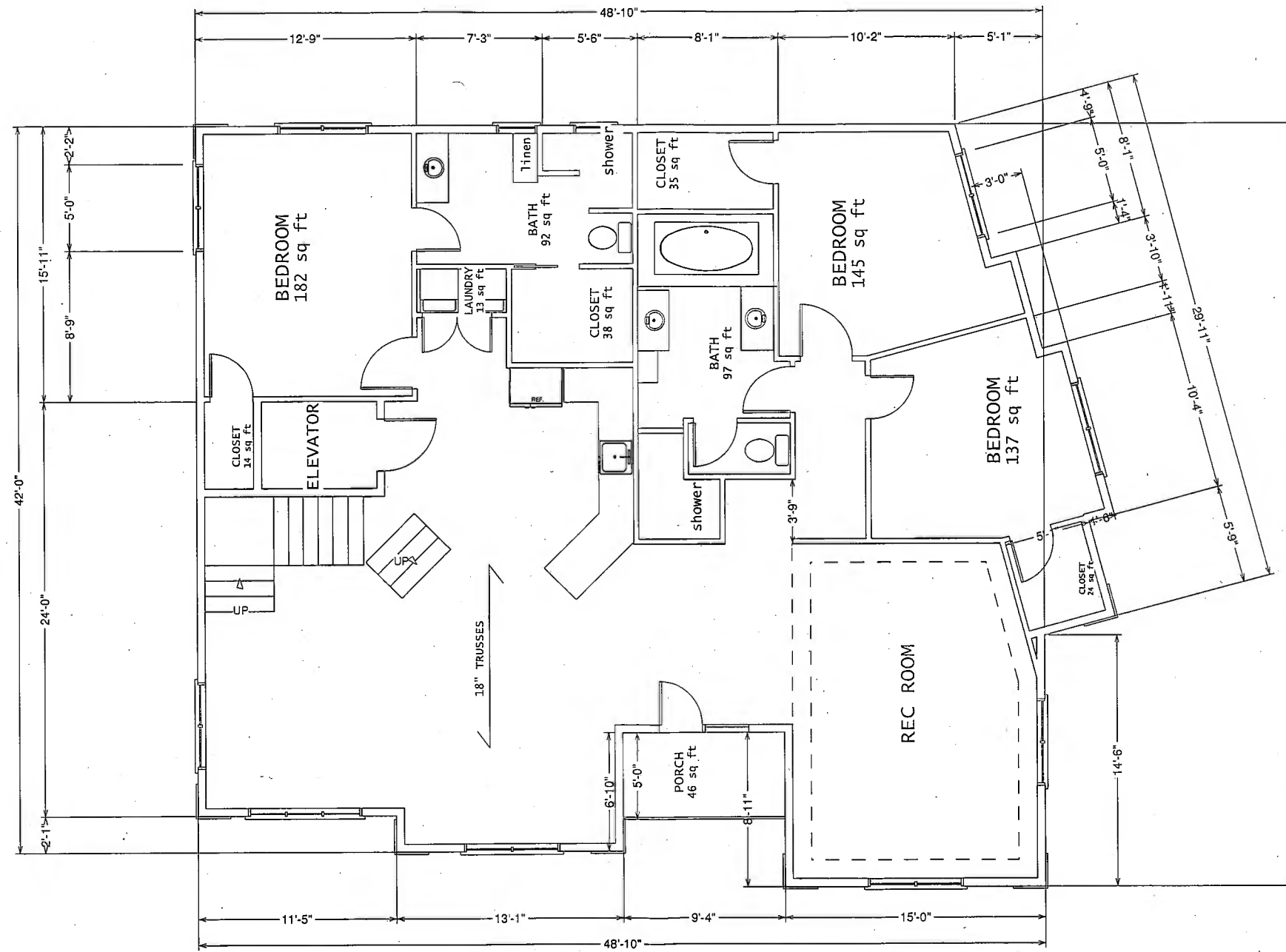
RECEIVED
JUL 27 2010
CITY OF MINNETONKA

SCALE:
1/8" = 1'-0"

Olshansky Residence
16901 Gray's Bay Blvd
Minnetonka

DESIGN BY:
Paul T. Vogstrom
DATE: 7-27-10

FLOOR PLAN - UPPER LEVEL



SECOND FLOOR PLAN
1970 sq ft

SCALE:
1/8" = 1'-0"

Olshansky Residence
16901 Gray's Bay Blvd
Minnetonka

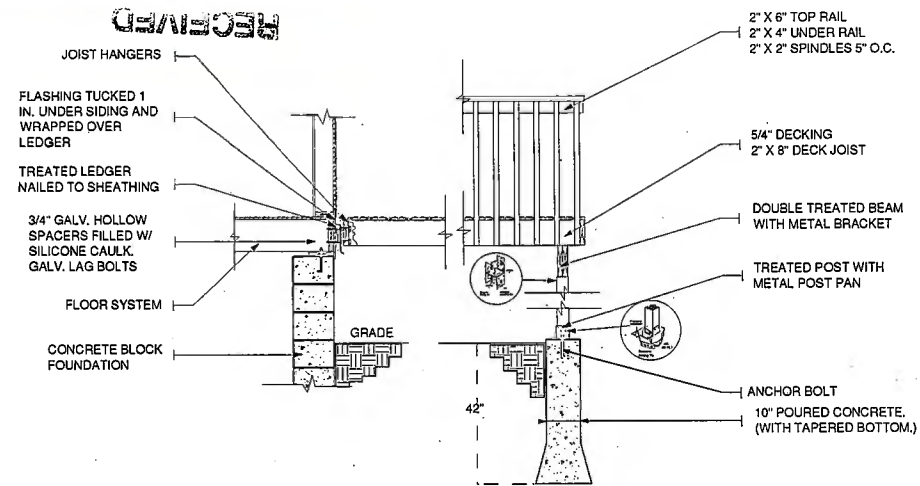
RECEIVED
JUL 27 2010
CITY OF MINNETONKA

DESIGN BY:
Paul T. Vogstrom
DATE: 7-27-10

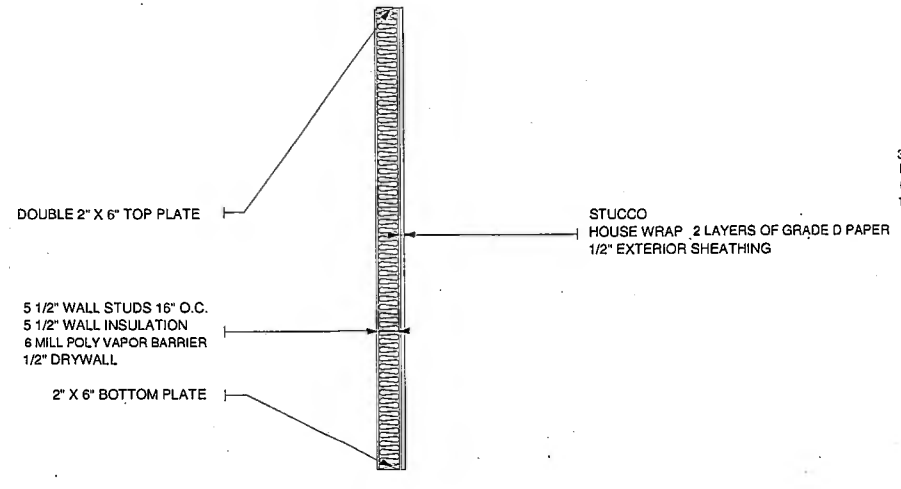
BUILDING SECTION

JUL 27 2010

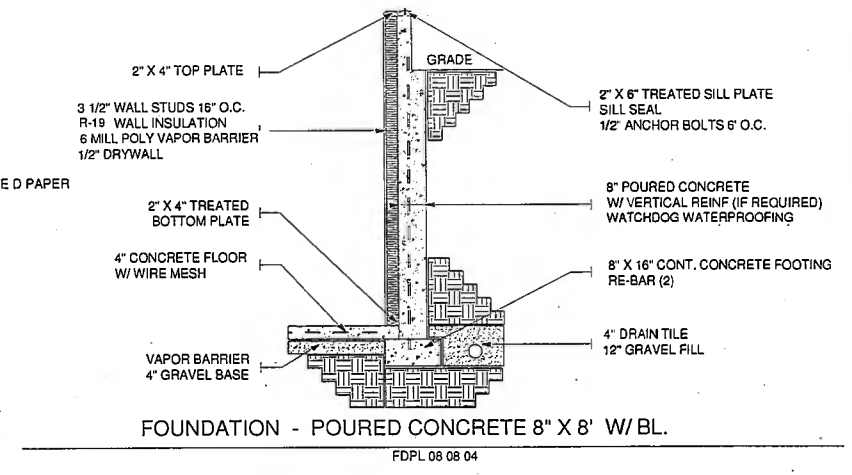
RECEIVED



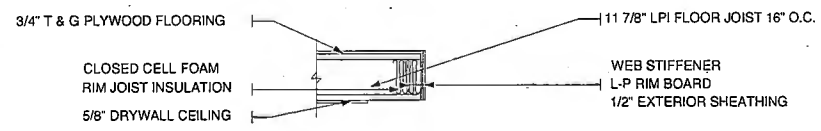
Typical Deck Detail Attached to Wood Wall



WOOD WALL SYSTEM - 2" X 6" X 10' STUDS W/ STUCCO



FOUNDATION - POURED CONCRETE 8" X 8" W/ BL.



WOOD FLOOR SYSTEM 11 7/8" LPI W/ CEILING

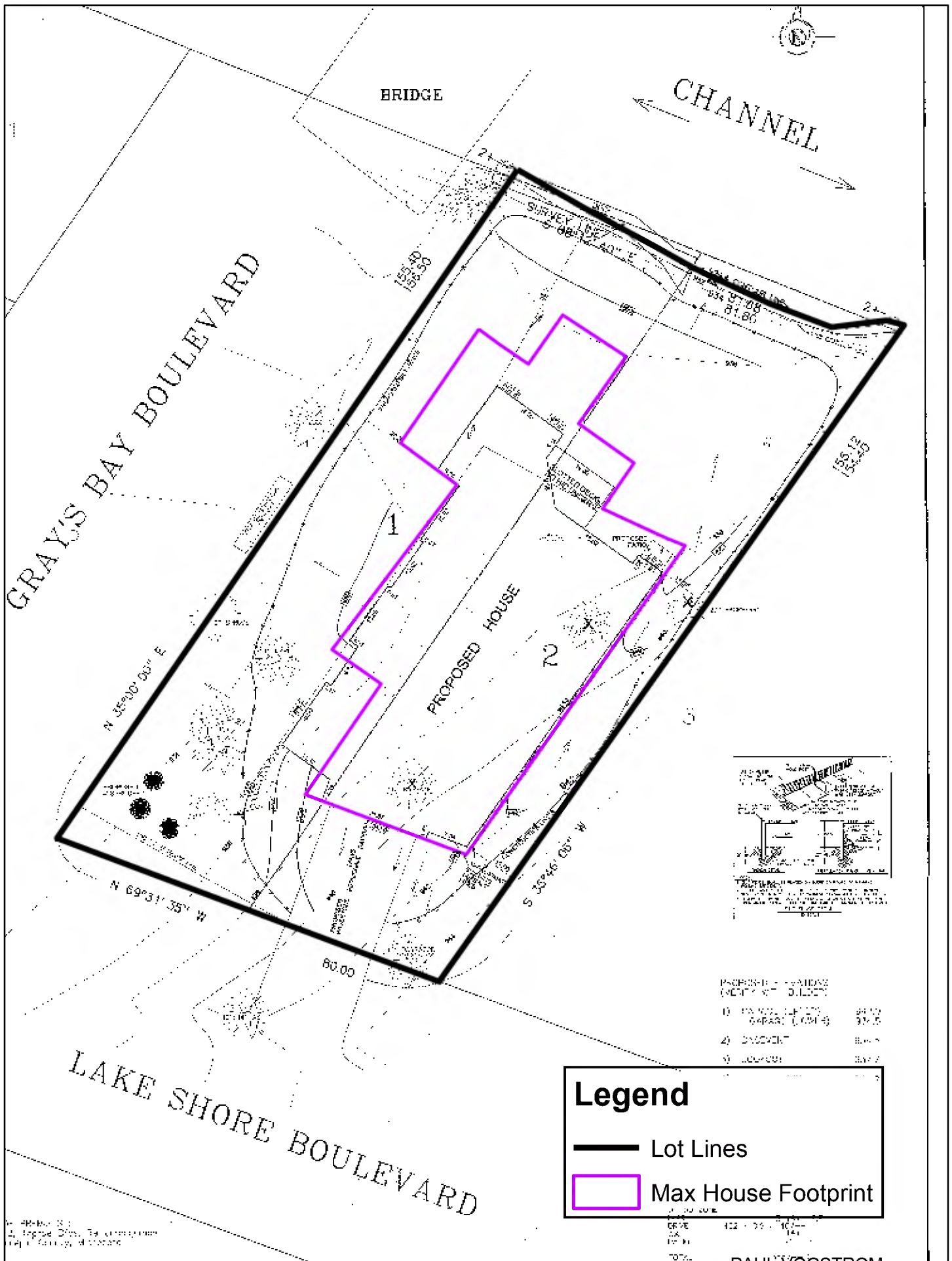


SCALE:
1/8" = 1'-0"

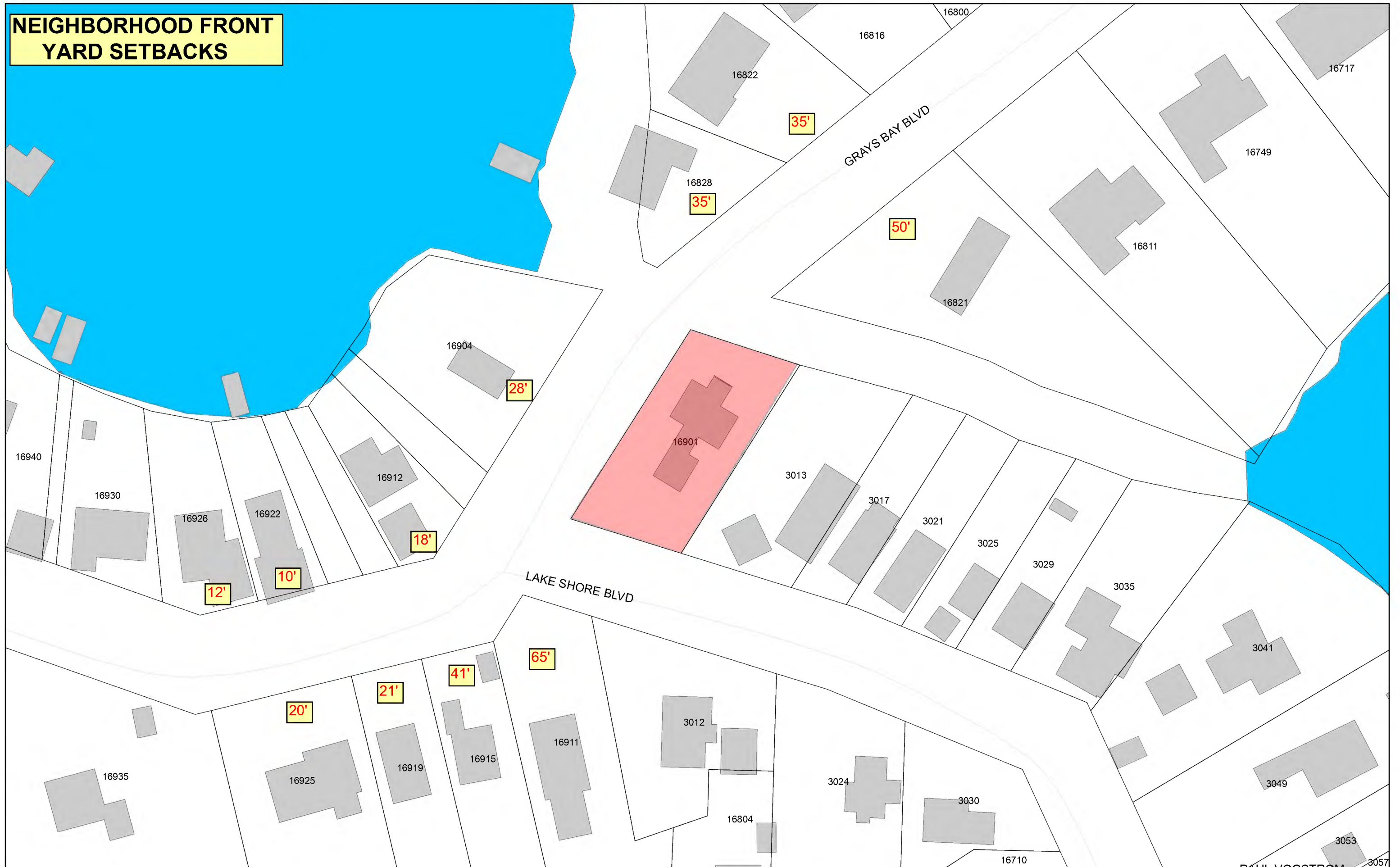
Olshansky Residence
16901 Gray's Bay Blvd
Minnetonka

DESIGN BY:
Paul T. Vogstrom
DATE: 7-27-10

PAUL VOGSTROM
16901 GRAYS BAY BLVD
PROJECT NO 10007.10B



**NEIGHBORHOOD FRONT
YARD SETBACKS**



A

LANDSCAPE PLAN



Shoreline Buffer Planting List

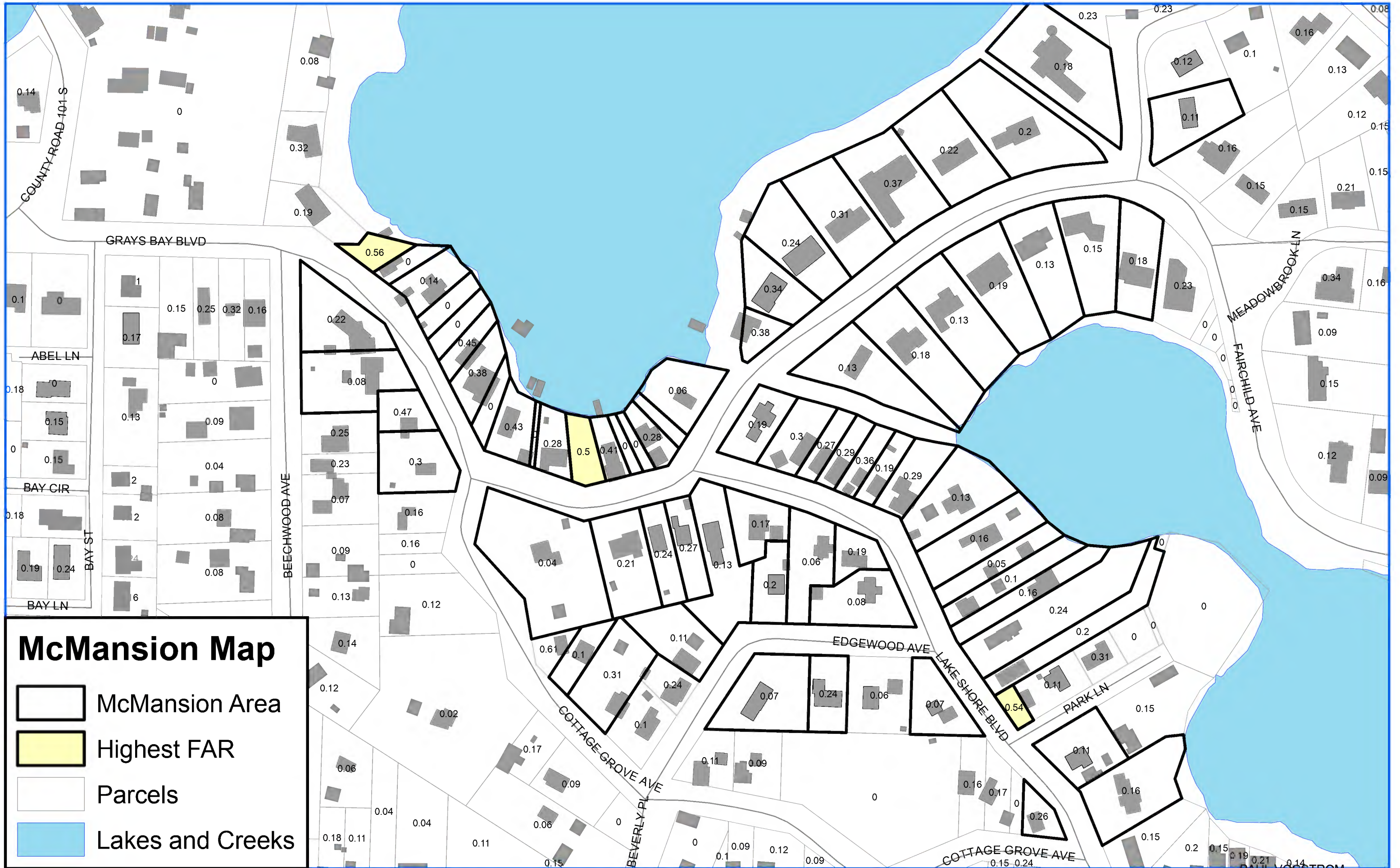
- River Birch
- Serviceberry
- Black Chokeberry
- Viburnum
- Red-twigged Dogwood
- Bush Honeysuckle
- Switchgrass
- Indian Grass
- Little Bluestem
- Fox Sedge
- Blue Flag Iris
- Soft Rush
- Joe-Pye Weed
- Butterfly Flower
- Liatris
- Lobelia

RECEIVED
 JUN 09 2010
 CITY OF MINNETONKA



16901 Gray's Bay Boulevard
 Minnetonka, Mn

Landscape Plan
 Scale 1" = 20' June 09, 2010
 PAUL VOGSTROM
 16901 GRAYS BAY BLVD
 PROJECT NO 10007.10B



NEIGHBORHOOD COMMENTS

From: Jose Fulco
Sent: Tuesday, June 15, 2010 9:45 PM
To: Jeffrey Thomson
Subject:

My biggest concern is continued expansion of the size of homes relative to their lot size. This is a small plot for such a large house and although we appreciate the buffer zone and rain garden concepts, I prefer keeping at least the 35% hard surface.

Jose M Fulco
16821 Grays Bay Blvd

PLANNING COMMISSION RESOLUTION NO. 2010-
RESOLUTION APPROVING AN EXPANSION PERMIT
FOR CONSTRUCTION OF A NEW HOUSE AT 16901 GRAYS BAY BOULEVARD

BE IT RESOLVED by the Planning Commission of the City of Minnetonka, Minnesota, as follows:

Section 1. BACKGROUND.

- 1.01 Paul Vogstrom has requested an expansion permit for construction of a new house at 16901 Grays Bay Boulevard (Project 10007.10b).
- 1.02 The property is legally described as follows:

Lots 1 and 2, Block 2, Thorpe Bros. Re-arrangement Groveland Shores, Hennepin County, Minnesota
- 1.03 City Code Section 300.10.5 requires a minimum front yard setback of 35 feet.
- 1.04 The previous house is nonconforming. The previous house was constructed in 1920, prior to adoption of the city's first zoning ordinance. The previous house had a 11-foot nonconforming front yard setback.
- 1.05 Minnesota Statute §462.357 Subd. 1(e)(b) allows a municipality, by ordinance, to permit an expansion of nonconformities.
- 1.06 City Code §300.29 Subd. 3(g) allows expansion of a nonconformity only by variance or expansion permit.
- 1.07 City Code §300.29 Subd. 7(c) authorizes the planning commission to grant expansion permits.

Section 2. STANDARDS

2.01 City Code §300.29 Subd. 7(c) states that an expansion permit may be granted, but is not mandated, when an applicant meets the burden of proving that:

- 1) The proposed expansion is a reasonable use of the property, considering such things as: functional and aesthetic justifications for the expansion; adequacy of off-site parking for the expansion; absence of adverse off-site impacts from such things as traffic, noise, dust, odors, and parking; and improvement to the appearance and stability of the property and neighborhood.
- 2) The circumstances justifying the expansion are unique to the property, are not caused by the landowner, are not solely for the landowners convenience, and are not solely because of economic considerations; and
- 3) The expansion would not adversely affect or alter the essential character of the neighborhood.

Section 3. FINDINGS

3.01 The applicant has met the burden of proof outlined in City Code §300.300.29 Subd. 7(c).

- 1) **REASONABLENESS:** The proposed expansion is a reasonable use of the property. The new house would increase the shoreland and front yard setbacks from the previous house. The setbacks of the new house would increase from 20 feet to 38 feet from the shoreland channel, and from 11 feet to 20 feet from Grays Bay Boulevard.
- 2) **UNIQUE CIRCUMSTANCE:** The circumstances justifying the expansion are unique to the property. The nonconforming rights of the property and the substandard buildable area are not common to every single-family property. These circumstances are not caused by the property owner, are not solely for the property owner's convenience, and are not based on economic factors.
- 3) **NEIGHBORHOOD CHARACTER:** The expansion would not adversely affect or alter the essential character of the neighborhood. The properties along Grays Bay Boulevard in the immediate area have varying front yard setbacks. Many of the homes along the street have nonconforming front yard setbacks today, ranging from 12 feet to 28 feet. The proposed expansion

would maintain the existing building line along Grays Bay Boulevard.

Section 4. PLANNING COMMISSION ACTION.

4.01 The Planning Commission approves the above-described expansion permit, subject to the above findings. Approval is subject to the following conditions:

- 1) The site must be developed in substantial conformance with the following plans:
 - Survey and site plan date-stamped July 27, 2010
 - Floor plans date-stamped July 27, 2010
 - Building elevations date-stamped July 27, 2010
 - Stormwater plans date-stamped June 8, 2010
- 2) Prior to issuance of a building permit:
 - a. A copy of this resolution must be recorded with the County and a copy of the recorded document returned to the city.
 - b. Install a temporary rock driveway, erosion control, tree protection and wetland protection fencing as required by natural resources staff for inspection and approval. These items must be maintained throughout the course of construction.
 - c. Record a restrictive covenant against the property indicating that no additional impervious surfaces can be added to the site unless it meets the 30 percent maximum impervious surface requirement outlined in the shoreland ordinance.
 - d. Submit final stormwater plans meeting the standards outlined in Appendix A of the Water Resources Management Plan for review and approval by city staff.
 - e. The proposed house must meet fire access requirements as determined by the fire marshall.
 - f. A driveway permit must be obtained from the city for the new driveway access on Lake Shore Boulevard.
- 3) The house must have a minimum low floor elevation of 933.5.

- 4) This expansion permit approval will end on December 31, 2011, unless the city has issued a building permit for the project covered by this resolution or approved a time extension.

Adopted by the Planning Commission of the City of Minnetonka, Minnesota, on September 16, 2010.

John Cheleen, Chairperson

ATTEST:

Kathy Leervig, 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 September 16, 2010.

Kathy Leervig, Deputy City Clerk

DECLARATION OF RESTRICTIVE COVENANTS

THIS DECLARATION is made 9-23-10, 2010, by David Olshansky, fee owner, ("Declarant") regarding the following facts and circumstances:

1. Declarant is the owner of property located in the City of Minnetonka, County of Hennepin, State of Minnesota, legally described as follows ("Subject Property"):

Lots 1 and 2, Block 2, Thorpe Bros. Re-arrangement Groveland Shores, Hennepin County, Minnesota
2. Upon the application of the Declarant, the City of Minnetonka granted approval of an expansion permit for construction of a new house. As a condition of that approval, the Declarant was required to record a covenant placing certain conditions on the Subject Property. This document seeks to comply with that requirement.

THEREFORE, in consideration of the foregoing facts and circumstances, Declarant makes the following Declaration:

- A. The Subject Property is hereafter subject to the following restrictions:

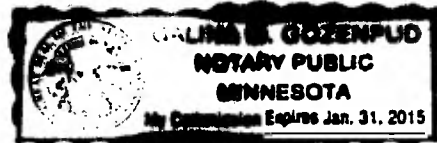
The impervious surface coverage within 150 feet of the OWHL of the shoreland channel must not exceed 30 percent. The approved site plan provides an impervious surface coverage of 29.98 percent. No additional impervious surfaces, including driveways, walkways, and patios can be added to the site without an equal reduction in other impervious areas.

- B. These restrictions apply to and bind each owner of any part of the Subject Property, and their respective successors and assigns. These restrictions operate as a covenant passing with the title to the Subject Property and any part of it. The restrictions are imposed upon the Subject Property as a servitude in favor of Declarant and the City of Minnetonka only for their benefit.

- C. Each of the restrictions contained in this Declaration will continue for a period of thirty years from the date of filing for record, and will be automatically extended in their entirety for successive periods of ten years, unless the City of Minnetonka, or its successors or assigns, executes an appropriate written instrument terminating the restrictions, or any part of them.
- D. The restrictions contained in this Declaration are enforceable by Declarant, and its assigns, or by the City of Minnetonka, by any appropriate legal remedy. A person violating any of the restrictions will be liable to the Declarant and the City of Minnetonka for all costs and attorneys' fees which they incur in successfully enforcing the restrictions.
- E. Invalidation of any of the terms of this Declaration will in no way affect any of the other terms, which will remain in effect.
- F. The City of Minnetonka is the only entity required to release the Subject Property from the requirements in this Declaration. When all of the requirements are fulfilled to the City's satisfaction, at the owners' request, the City will release the Subject Property from this Declaration. The release executed by the City must be drafted by the owners and be in a form acceptable to the Recorder or Registrar of Titles. If the Subject Property is registered property, the release will have the effect of terminating this Declaration when it is memorialized on the appropriate certificates of titles, so that the Declaration and the release will be eliminated as memorials on subsequent certificates of title.

IN WITNESS WHEREOF, the Declarant has executed this Declaration on the date written above.

David Olshtansky



STATE OF MN }
COUNTY OF Hennepin } SS



The foregoing instrument was acknowledged before me on 09/23/2010
by David Olshansky.

G. Gozenpud
Notary Public

DRAFTED BY:

City of Minnetonka
14600 Minnetonka Boulevard
Minnetonka MN

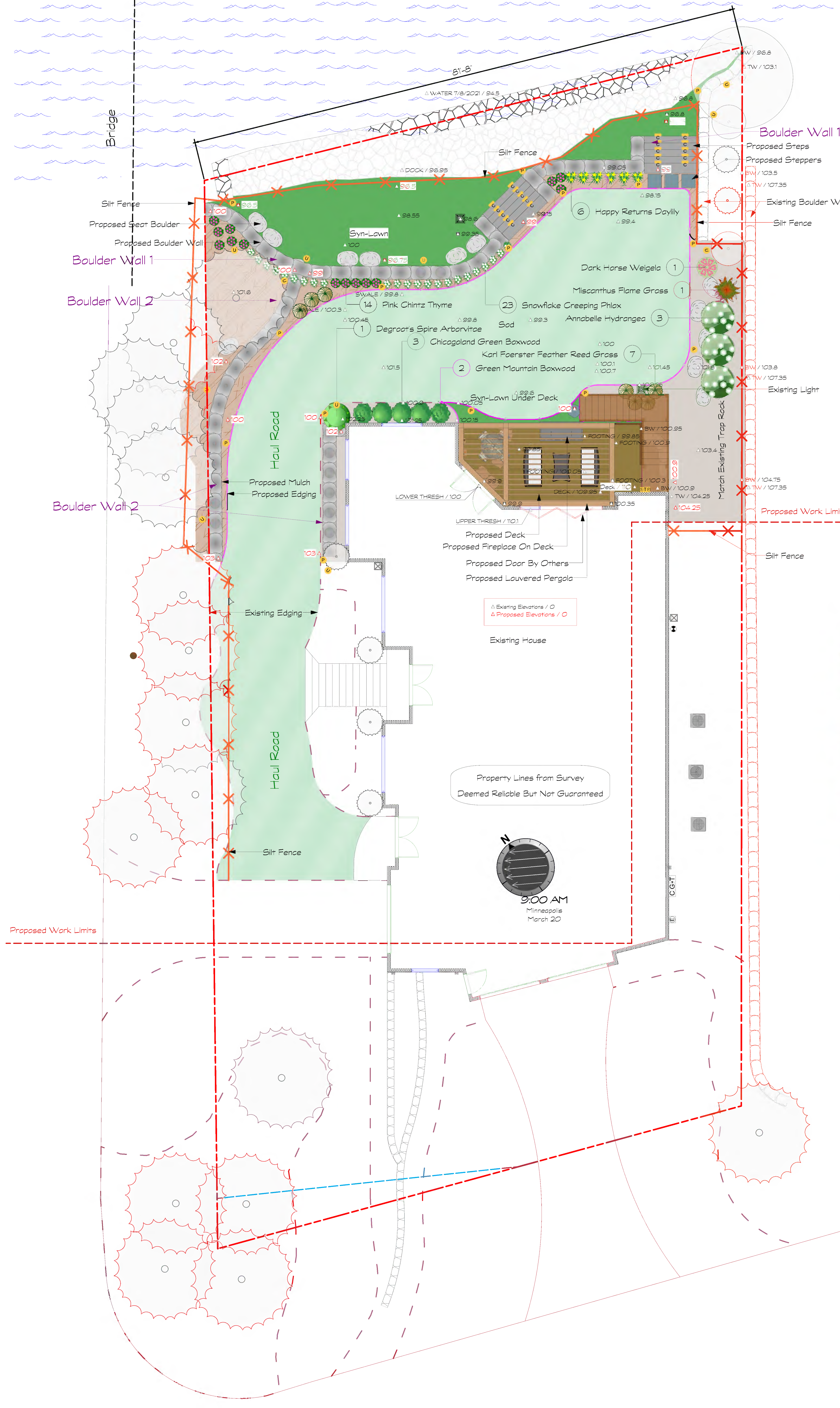
Steps: Indiana Limestone

Existing Hardcover		
Existing Driveway	=	368 SF
Existing Entry	=	164 SF
Existing House	=	3130 SF
Total Hardcover	=	3662 SF
Total Lot Area	=	12278 SF
Percent Hardcover	=	29.83 %

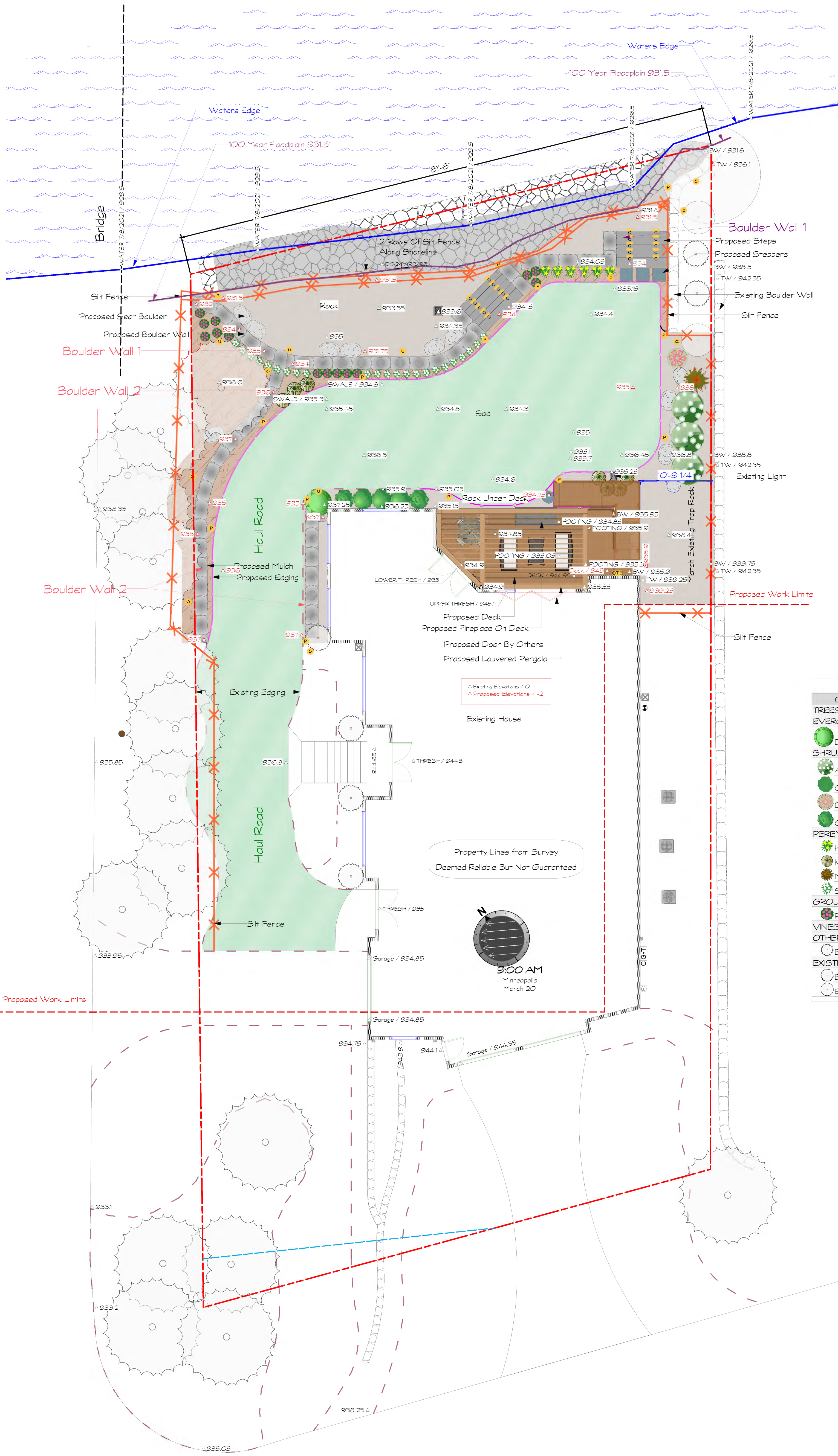
Proposed Hardcover		
Existing Driveway	=	368 SF
Existing Entry	=	164 SF
Existing House	=	3130 SF
Total Hardcover	=	3662 SF
Total Lot Area	=	12278 SF
Percent Hardcover	=	29.83 %

Master Lighting Key		
Proposed		
Sunspot	Fixture Name	Qty
C	Cap Light	20
P	Path Light	15
P10	Transformer W/ Photocell & Timer	1
S	Up Spotlight	1
		Total Qty: 47

Plant List Report		
Common Name	Size	Qty
TREES		
EVERGREENS		
◉ Degroot's Spire Arborvitae		1
SHRUBS		
◉ Annabelle Hydrangea		3
◉ Chicagoland Green Boxwood		3
◉ Dark Horse Weigela		1
◉ Green Mountain Boxwood		2
PERENNIALS		
◉ Happy Returns Daylily		6
◉ Karl Foerster Feather Reed Grass		7
◉ Miscanthus Flame Grass		1
◉ Snowflake Creeping Phlox		23
GROUND COVERS		
◉ Pink Chintz Thyme		14
VINES		
OTHERS		
◉ Existing Evergreen Shrub		1
EXISTING		
◉ Existing Evergreen Tree		22
◉ Existing Tree		3



Project Name: Phase 1 Job #: 29656 Sheet 2 of 8	Scale: 1"=8' 	Benjamin Davies Landscape Design 16901 Grays Bay Blvd Minnetonka, MN 55391	Designer: Josh Koller Design Associate: Nick Heiling Pmt Date: 3/12/2023 File Name: 2023_03_14_Davies.vwx This drawing contains proprietary information which belongs to Southview Design Inc. Any unauthorized duplication or use is strictly prohibited. Released By: _____ Date Released: / /	<table border="1"> <tr> <th>NO.</th> <th>Date</th> <th>Revision Notes</th> <th>NO.</th> <th>Date</th> <th>Issue Notes</th> </tr> <tr> <td>E</td> <td>3/20/2023</td> <td>Plan 3</td> <td></td> <td></td> <td></td> </tr> <tr> <td>D</td> <td>2/3/2022</td> <td>Plan 2</td> <td></td> <td></td> <td></td> </tr> <tr> <td>C</td> <td>1/31/2022</td> <td>Plan 1</td> <td></td> <td></td> <td></td> </tr> <tr> <td>B</td> <td>12/15/2021</td> <td>Revisions</td> <td></td> <td></td> <td></td> </tr> <tr> <td>A</td> <td>9/16/2021</td> <td>Boulder Wall Revisions</td> <td></td> <td></td> <td></td> </tr> </table>	NO.	Date	Revision Notes	NO.	Date	Issue Notes	E	3/20/2023	Plan 3				D	2/3/2022	Plan 2				C	1/31/2022	Plan 1				B	12/15/2021	Revisions				A	9/16/2021	Boulder Wall Revisions				2383 Pilot Knob Rd Mendota Heights, MN 55120 Phone: 651-203-3000 Fax: 651-455-1734 SouthviewDesign.com	
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Steps: Indiana Limestone

Existing Hardcover

Existing Boulder Walls	=	119 SF
Existing Driveway	=	368 SF
Existing Entry	=	164 SF
Existing House	=	3130 SF
Existing Rip Rap	=	900 SF
Total Hardcover	=	4681 SF
Total Lot Area	=	12278 SF
Percent Hardcover	=	38.13 %

Proposed Hardcover

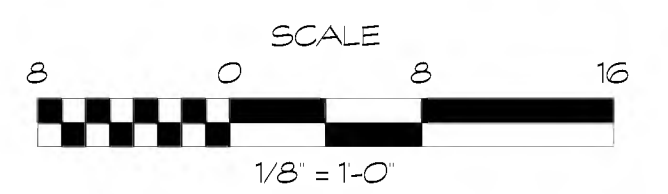
Existing Boulder Walls	=	119 SF
Existing Driveway	=	368 SF
Existing Entry	=	164 SF
Existing House	=	3130 SF
Existing Rip Rap	=	481 SF
Proposed Boulder Walls	=	289 SF
Proposed Stone Steps	=	88 SF
Total Hardcover	=	4639 SF
Total Lot Area	=	12278 SF
Percent Hardcover	=	37.78 %

Master Lighting Key

Proposed	Fixture Name	Qty
C	Cap Light	20
P	Path Light	15
P10	Transformer W/ PhotoCell & Timer	1
S	Up Spotlight	47
		Total Qty: 47

Plant List Report

Common Name	Size	Qty
TREES		
EVERGREENS		
Degroot's Spire Arborvitae		1
SHRUBS		
Annabelle Hydrangea		3
Chicagoland Green Boxwood		3
Dark Horse Weigela		1
Green Mountain Boxwood		2
PERENNIALS		
Happy Returns Daylily		6
Karl Foerster Feather Reed Grass		7
Miscanthus Flame Grass		1
Snowflake Creeping Phlox		23
GROUND COVERS		
Pink Chintz Thyme		14
VINES		
OTHERS		
Existing Evergreen Shrub		1
EXISTING		
Existing Evergreen Tree		22
Existing Tree		3



Project Name: Phase 1
 Job #: 29656
 Sheet 2 of 9
 Scale: 1"=8'

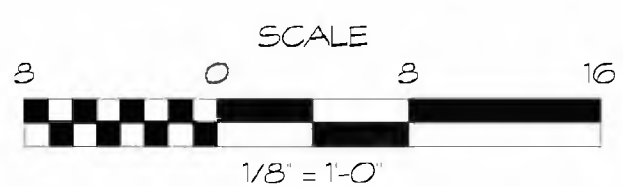
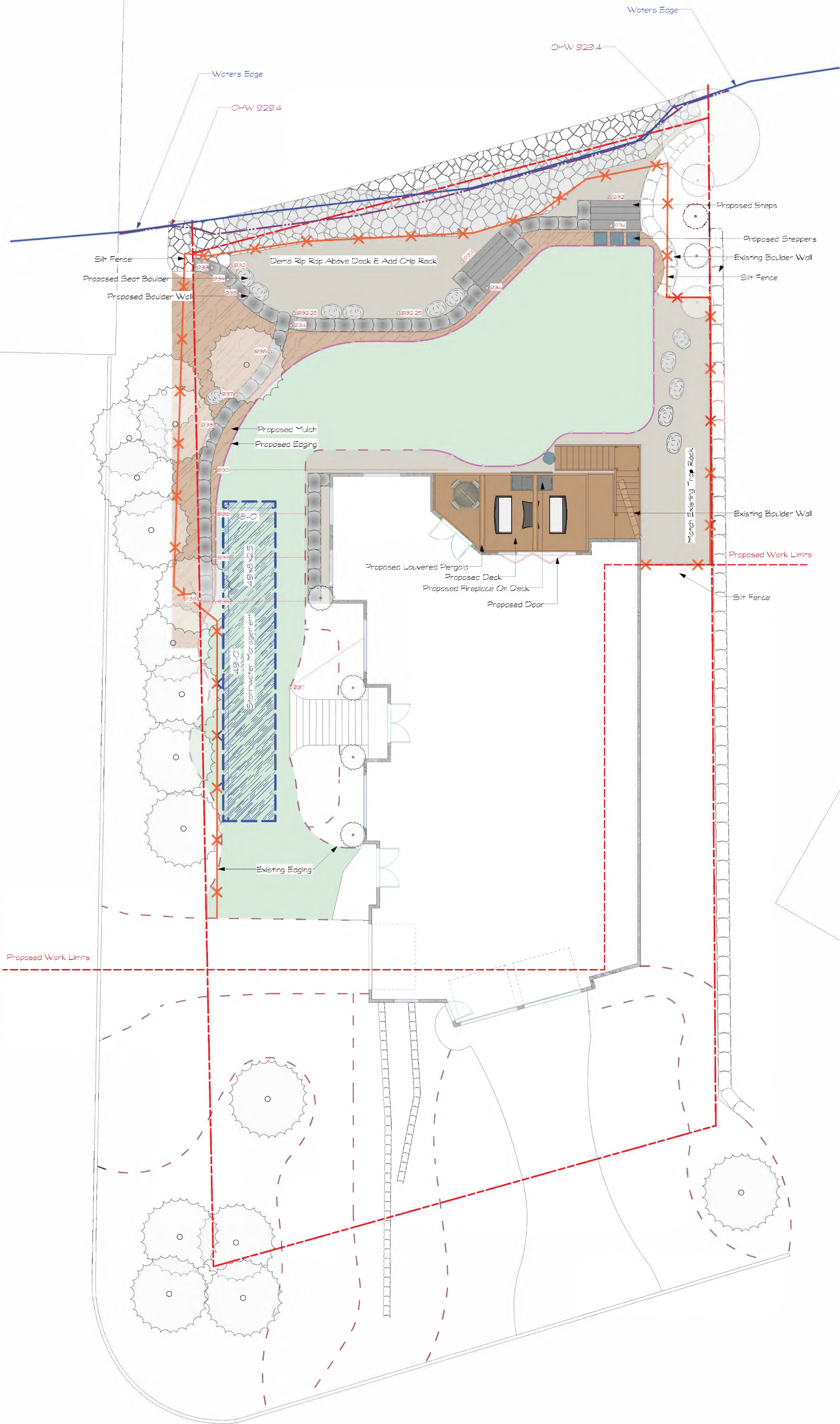
Benjamin Davies
Landscape Design
 16901 Grays Bay Blvd
 Minnetonka, MN 55391

Designer: Josh Koller
 Design Associate: Nick Heiling
 Print Date: 6/23/2023
 File Name: 2023-06-20_Davies.vwx
 This drawing contains proprietary information which belongs to Southview Design Inc. Any unauthorized duplication or use is strictly prohibited.
 Released By: _____ Date Released: __/__/__

NO.	Date	Revision Notes	NO.	Date	Issue Notes
E	3/20/2023	Plan 3			
D	2/3/2022	Plan 2			
C	1/31/2022	Plan 1			
B	12/15/2021	Revisions			
A	9/16/2021	Boulder Wall Revisions			

2383 Pilot Knob Rd
 Mendota Heights, MN 55120
 Phone: 651-203-3000
 Fax: 651-455-1734
 SouthviewDesign.com





Designer: Josh Koller	Measure Input:
Design Assistant: Nick Halting	Measure Team:
Sheet: 3 of 3	Print Date: 2023-08-23 File Name: 2023-07-26_Davies 2.vwx
This drawing contains proprietary information which belongs to Southview Design Inc. Any unauthorized duplication or use is strictly prohibited.	
Scale: 1/8" = 1'-0"	Released By: _____ Date Released: ____/____/____

Benjamin Davies Design Plan

16901 Grays Bay Blvd
Minnetonka, MN 55391

NO	Date	Revision Notes	NO	Date	Issue Notes

2383 Pilot Knob Rd
Mendota Heights, MN 55120
Phone: 651-203-3000
Fax: 651-455-1734
SouthviewDesign.com



PROPOSED DECK AND LANDSCAPING FOR: DNL BUILDERS

LEGEND

- Fence
- Silt Fence
- Concrete Curb
- Boulder Retaining Wall
- Electrical Transformer
- Storm Catch Basin
- Sanitary Manhole
- Gas Meter
- Light Pole
- Power Pole
- Water Shutoff
- Gate Valve
- Existing Elevation
- Top of Curb Elevation
- Top of Wall Elevation
- Bottom of Wall Elevation
- Existing Contour
- Found Iron Monument
- Set Iron Monument
- Inscribed R.L.S. 15230



EXISTING LOT AREA CALCULATION:

Lot Area (TO OHW) = 12,130 SF

HARDCOVER AREAS:

House = 3,136 SF
 Paver Driveway = 401 SF
 Crushed Rock Drives = 638 SF
 Retaining Walls = 206 SF
 Paver & Flagstone Walks = 251 SF
 Stairs = 121 SF
 Rip Rap = 570 SF
 Total = 5,322 SF
 Hardcover Area = 43.8%
 (Dock not included)

PROPOSED LOT AREA CALCULATION:

Lot Area (TO OHW) = 12,130 SF

HARDCOVER AREAS:

House = 3,136 SF
 Paver Driveway = 401 SF
 Crushed Rock Drives = 638 SF
 Retaining Walls = 206 SF
 Retaining Wall Removed = -15 SF
 Proposed Retaining Walls = 234 SF
 Paver & Flagstone Walks = 251 SF
 Paver & Flagstone Walks Removed = -79 SF
 Stairs = 121 SF
 Proposed Stone Steps = 72 SF
 Rip Rap = 570 SF
 Rip Rap Removed = -277 SF
 Total = 5,317 SF
 Hardcover Area = 43.8%
 (Dock not included)

GENERAL NOTES:

- Existing building dimensions are measured to siding and not building foundation.
- No title commitment was provided and no research was performed for any easements not shown on this survey.
- Location of utilities shown are from observed evidence in the field and/or plans furnished by others and are considered approximate. Gopher State One Call or a private utility locator should be contacted to locate utilities before excavation.



JOB NO. 228-23 PROP	SCALE 1" = 10'	SITE ADDRESS 16901 Grays Bay Boulevard Maplewood, MN
BOOK/PAGE DRAWN GUS REFERENCE		PROPERTY DESCRIPTION Lots 1 & 2, Block 2, Thorpe Bros Reurangement of Groveland Shores, Hennepin County, Minnesota
SHEET 1 of 1 24x36		SITE BENCHMARK SAN M1 RIM = 933.85

DATE	REVISIONS
08-30-2023	REMARKS ADD RIP RAP TO IMPERVIOUS SURFACE CALCULATIONS

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

W. BROWN LAND SURVEYING, INC.

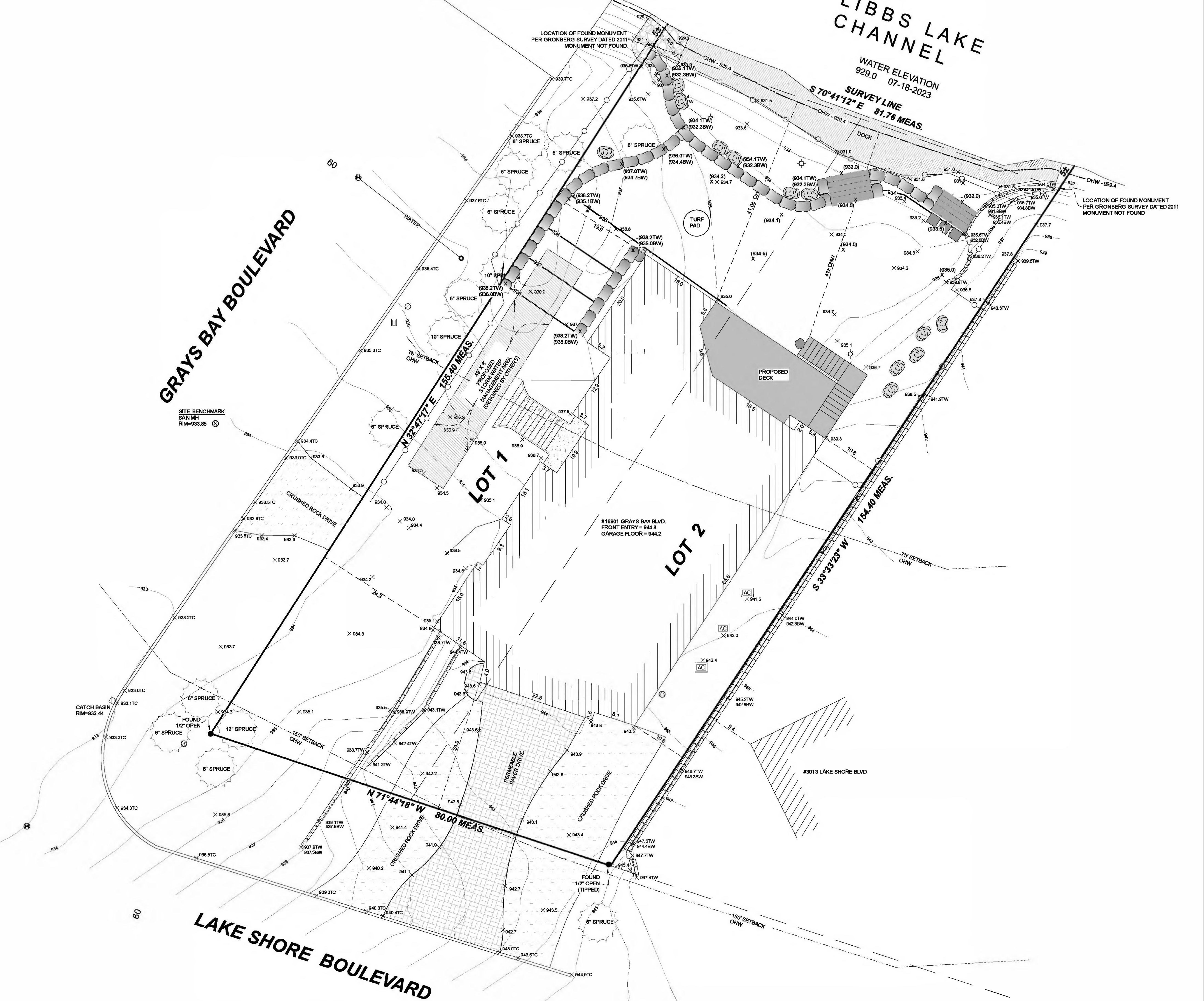
Woodrow A. Brown DATED: 07-28-2023
 WOODROW A. BROWN, R.L.S. MN REG 15230

W. BROWN LAND SURVEYING, INC.
 8030 OLD CEDAR AVENUE SO., SUITE 228
 BLOOMINGTON, MN 55425
 PH: (952) 854-4055
 WBROWNLANDSURVEYING.COM
 EMAIL: INFO@WBROWNLANDSURVEYING.COM

PROPOSED DECK AND LANDSCAPING FOR: DNL BUILDERS

LEGEND

- Fence
- Silt Fence
- Concrete Curb
- Boulder Retaining Wall
- Electrical Transformer
- Storm Catch Basin
- Sanitary Manhole
- Gas Meter
- Light Pole
- Power Pole
- Water Shutoff
- Gate Valve
- Existing Elevation
- Top of Curb Elevation
- Top of Wall Elevation
- Bottom of Wall Elevation
- Existing Contour
- Found Iron Monument
- Set Iron Monument
- Inscribed R.L.S. 15230



EXISTING LOT AREA CALCULATION:

Lot Area (TO OHW) = 12,130 SF

HARDCOVER AREAS:

House = 3,136 SF
 Permeable Paver Driveway = 0 SF
 Crushed Rock Drives = 638 SF
 Retaining Walls = 206 SF
 Paver & Flagstone Walks = 251 SF
 Stairs = 121 SF
 Rip Rap = 570 SF
 Total = 4,921 SF
 Hardcover Area = 40.5%
 (Dock not included)

PROPOSED LOT AREA CALCULATION:

Lot Area (TO OHW) = 12,130 SF

HARDCOVER AREAS:

House = 3,136 SF
 Permeable Paver Driveway = 0 SF
 Crushed Rock Drives = 638 SF
 Crushed Drive Removed = -285 SF
 Retaining Walls = 206 SF
 Retaining Wall Removed = -15 SF
 Proposed Retaining Walls = 294 SF
 Paver & Flagstone Walks = 251 SF
 Paver & Flagstone Walks Removed = -251 SF
 Stairs = 121 SF
 Proposed Stone Steps = 72 SF
 Rip Rap = 570 SF
 Rip Rap Removed = -277 SF
 Total = 4,459 SF
 Hardcover Area = 36.8%
 (Dock not included)

GENERAL NOTES:

- Existing building dimensions are measured to siding and not building foundation.
- No title commitment was provided and no research was performed for any easements not shown on this survey.
- Location of utilities shown are from observed evidence in the field and/or plans furnished by others and are considered approximate. Gopher State One Call or a private utility locator should be contacted to locate utilities on the before excavation.



JOB NO. 228-23 PROP	SCALE 1" = 10'	SITE ADDRESS 16901 Grays Bay Boulevard Bloomington, MN	REVISIONS
BOOK/PAGE REFERENCE	DRAWN GUS	PROPERTY DESCRIPTION Lots 1 & 2, Block 2, Thorpe Bros Rearrangement of Groveland Shores, Hennepin County, Minnesota	REMARKS
SHEET 1 of 1 24x36	DATE 05-30-2023	SITE BENCHMARK SAN M1 RIM = 933.85	ADD RIP RAP TO IMPROVE SURFACE CALCULATIONS REMOVE WALLS AND PART OF ROCK DRIVEWAY - UPDATE CALC

DATE 05-30-2023	REVISIONS
08-31-2023	ADD RIP RAP TO IMPROVE SURFACE CALCULATIONS REMOVE WALLS AND PART OF ROCK DRIVEWAY - UPDATE CALC

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly registered Land Surveyor under the laws of the State of Minnesota.
W. BROWN LAND SURVEYING, INC.
 WOODROW A. BROWN, R.L.S. MN REG 15230
 DATED: 07-28-2023



W. BROWN LAND SURVEYING, INC.
 8030 OLD CEDAR AVENUE SO., SUITE 228
 BLOOMINGTON, MN 55425
 PH: (952) 855-4055
 WBROWNLANDSURVEYING.COM
 EMAIL: INFO@WBROWNLANDSURVEYING.COM

Resolution No. 2023-

Resolution rescinding and replacing Resolution 2010-12 and approving the variance to the shoreland setback and the maximum impervious surface variance at 16901 Grays Bay Blvd.

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

Section 1. Background.

1.01 The subject property is located at 16901 Grays Bay Blvd. It is legally described as:

Lots 1 and 2, Block 2, Thorpe Bros. Re-arrangement Groveland Shores, Hennepin County, Minnesota

1.02 On Sept. 16, 2010, the planning commission approved an expansion permit for the reconstruction of a new home at the subject property. Approval was subject to several conditions, which were outlined in Resolution 2010-12.

- One of the conditions of approval required that a restrictive covenant was recorded against the property, indicating that no additional impervious surfaces can be added to the site unless it meets the 30 percent maximum impervious surface requirement outlined in the shoreland ordinance.
- As of the date of this resolution, the contractor exceeded the permitted amount of impervious surface coverage. The proposed variance would contradict the restrictive covenant requirement under Resolution 2010-12.

1.03 The existing site conditions do not satisfy the conditions of Resolution 2010-12. The proposed variances would bring the site closer to city code standards than the existing site.

1.04 Southview Design has requested a variance permit to the shoreland setback and the maximum impervious surface variance for a new deck and landscaping at 16901 Grays Bay Blvd. (Project 10007.10b).

1.05 By Cty Code §300.07 Subd. 6, a variance is only valid for the project for which it was granted.”

1.06 City Code §300.25 Subd. 7 outlines the shoreland district standards. The applicant is requesting variances to the shoreland setback and the maximum impervious surface as follows:

	Code Required	Existing*	Proposed
Shoreland Setback	50 ft.	Approx. 37 ft.	41 ft.
Maximum impervious surface percentage	30 percent	40.5 percent	37.5 percent
*The existing conditions received no variances to the City Code. Based on the existing conditions, the City Code standards were not met by the previous applicant.			

1.07 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 proposed variance meets the required variance standard for the following reasons:

1. Purpose and Intent of the Ordinance:
 - a) The intent of the shoreland setback is to ensure reasonable separation between structures and the lake for natural resource protection and aesthetic reasons. The proposal would meet this intent. The proposed setback is greater than the existing setback for the house on the property.
 - b) The intent of the impervious surface restriction is to further protection of regulated waters. The proposal would meet this intent. The proposal will reduce the amount of impervious surfaces on the site and install the stormwater facility required by the expansion permit Resolution 2010-12.

2. Consistent with Comprehensive Plan: The guiding principles in the comprehensive guide plan provide for maintaining, preserving, and enhancing existing neighborhoods. The requested variance would allow for investment into a single-family residential property.
3. Practical Difficulties: There are practical difficulties in complying with the ordinance:
 - a) Reasonableness: The proposed variances are a result of the home's design and location and the existing conditions that did not satisfy the requirements of Resolution 2010-12. The deck cannot be relocated elsewhere on the property to meet the required shoreland or accessory structure setbacks. The proposal would reduce the existing hardcover by removing the stone barrier near the shoreland and installing retaining walls generally in the northwest corner of the property.
 - b) Unique Circumstance: The unfulfilled requirements of Resolution 2010-12 do create some difficulty for this property. The existing impervious surface is more than permitted by the city shoreland ordinance. Therefore, any proposal, including a change to hardcover, would have required a variance. The home was approved for an expansion permit in 2010 for a 38-foot setback from the shoreland setback. Any proposed deck on the site would require a variance. That variance was specific to the home reconstruction proposal and not transferable to the deck, which requires a variance.
 - c) Neighborhood Character: While denying the variances would not deny reasonable use of the property, the requested shoreland setback variance would bring the property toward compliance than current conditions.

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:
 - Site Plan, dated Aug. 31, 2023
 - Stormwater Plans, dated Aug. 23, 2023
2. Prior to issuance of a building permit:
 - a) A copy of this resolution must be recorded with Hennepin County.

-
- b) A final stormwater management plan is required for the entire site's impervious surface as required when redeveloped in 2010. 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-inch of runoff from the entire site's impervious surface.
 - Quality: provide for runoff to be treated to at least 60-percent total phosphorus annual removal efficiency and 90-percent total suspended solid annual removal efficiency.
- c) Submit a final grading plan.
- d) Submit a tree mitigation plan. The plan must meet minimum 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.
- e) Provide a natural resource compliance cash escrow in the amount of \$3,000.00.
- f) Install a temporary rock driveway, erosion control, tree protection fencing, and any other measures as identified as the SWPPP for staff inspection. These items must be maintained throughout the course of construction.
3. The floodplain elevation is 931.5'. A floodplain alteration is required for any grading within the floodplain.
4. The applicant must confirm the location of the existing water service to the property. If the retaining wall and stormwater management BMP are located atop the water service, there would be a concern for future maintenance of the service.
5. 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 Sept. 7, 2023.

Joshua 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:

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 Sept. 7, 2023.

Fiona Golden, Deputy City Clerk

MINNETONKA PLANNING COMMISSION
Sept. 7, 2023

Brief Description	Ordinance rezoning the property at 18393 Covington Road from R-1, low-density residential, to R-4, medium-density residential.
Recommendation	Recommend the city council adopt the ordinance rezoning the property.

Background

Minnetonka Heights is a multi-household rental development located at the southeast corner of the County Road 101 and Covington Road intersection. Approved in 1973, the 17.6 acre-site is zoned R-4 and is occupied by three apartment buildings and 10 townhome buildings. All of the 176 units within Minnetonka Heights are designated as affordable.

The residents of Minnetonka Heights have access to a YMCA Neighborhood Center, which operates at the site. This center provides support services to residents of all ages, including academic support to school-age residents. (For more information, see the applicant narrative attached to this report.) This center and on-site management staff currently occupy space in a community room and apartment unit within existing buildings.

Proposal

In July 2023, Heartland Heights, the owner of Minnetonka Heights, purchased the existing single-household lot adjacent to Minnetonka Heights. Heartland Heights proposes to remodel the interior of the dwelling for use as management offices and maintenance storage. No external changes to the building are currently proposed. To accommodate this proposed use, the site must be rezoned from R-1 to R-4.



Staff Analysis

The rezoning request is reasonable, as:

- The subject property is surrounded by the Minnetonka Heights property.
- The proposed R-4 zoning would be more consistent with the property's high-density guide plan designation than the existing R-1 zoning.

Staff Recommendation

Recommend the city council adopt the ordinance rezoning the property at 18393 Covington Road from R-1, low-density residential, to R-4, medium-density residential.

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

Supporting Information

Subject Property The subject property is zoned R-1 and has a high-density land use designation in the Comprehensive Guide Plan.

Surrounding Properties North: Minnetonka Schools Vantage Momentum Building; zoned R-1
South: Minnetonka Heights; zoned R-4
East: Minnetonka Heights; zoned R-4
West: CO RD 101, single-household dwellings beyond; zoned PID

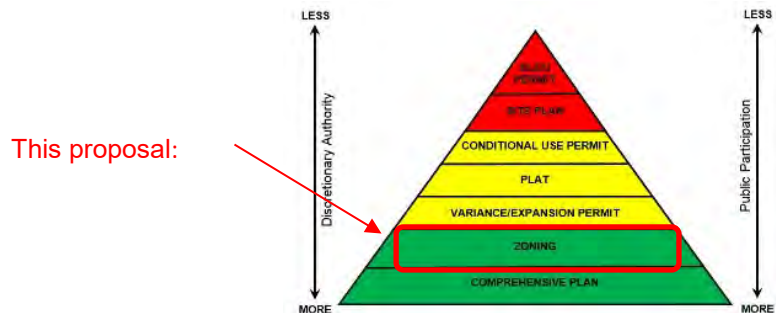
Existing House/Site The existing house was constructed in 1946. It is roughly 1,300 sq.ft. in size and has non-conforming setbacks from both north and west property lines. These non-conformities remain the same under the proposed R-4 zoning.

As conditions of approval:

1. The subject property must be combined with the large Minnetonka Heights site.
2. The existing driveway to Covington Road must be removed and a new driveway connection must be made between the structure on the subject property and the apartment complex parking lot.
3. The existing curb cut to Covington Road must be removed and re-poured with B612 curbing and the adjacent sidewalk panels replaced to match the higher curb elevations.
4. The building must be retrofitted with fire sprinklers as required by the fire marshal.

Neighborhood Comments The city sent notices to 73 area property owners and has received no written comments to date.

Pyramid of Discretion

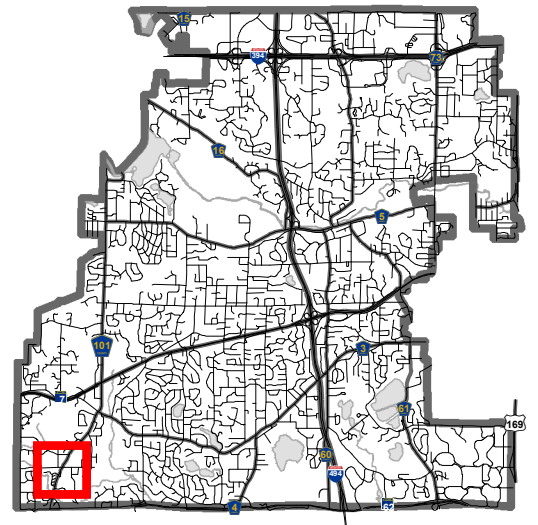


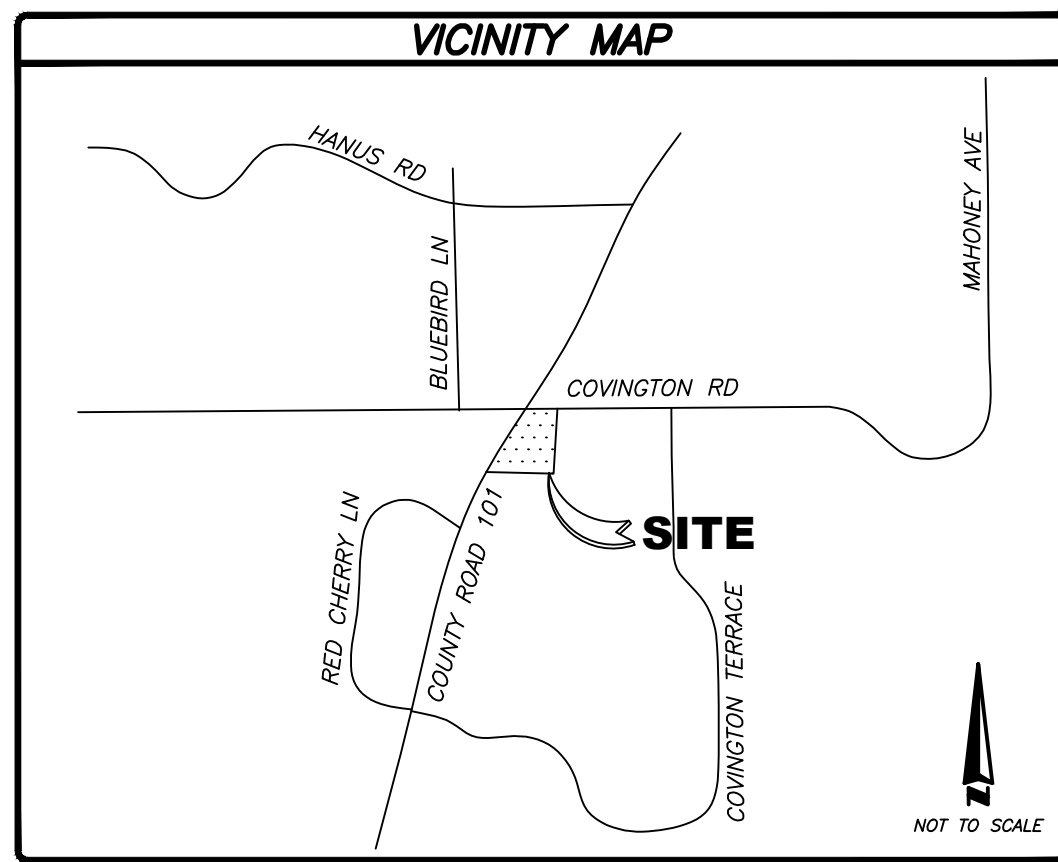
- Commission Action** The planning commission will make a recommendation to the city council; a recommendation requires a majority vote of the commission. The planning commission has the following options:
1. Concur with staff's recommendation. In this case, a motion should be made recommending the city council approve the rezoning.
 2. Disagree with staff's recommendation. In this case, a motion should be made recommending the city council deny the rezoning. The motion must 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.
- Deadline for Action** Oct. 30, 2023



Location Map

Project: Mtka Heights Apts office
Address: 18393 Covington Road





SURVEYOR'S NOTES

PER TABLE A ITEM 1; MONUMENTS HAVE BEEN PLACED AT ALL MAJOR CORNERS OF THE BOUNDARY OF THE SURVEYED PROPERTY, UNLESS OTHERWISE SHOWN HEREON.

PER TABLE A ITEM 2; 18393 COVINGTON RD, MINNETONKA MN WAS DISCLOSED IN DOCUMENTS PROVIDED AND OBSERVED AS POSTED AT THE TIME OF THE SURVEY.

PER TABLE A ITEM 4; PROPERTY CONTAINS: 0.62 ACRES (27,364 SQ. FT.) OF GROSS LAND AREA.

PER TABLE A ITEM 8; SUBSTANTIAL ABOVE GROUND FEATURES THAT WERE OBSERVED ON THE SUBJECT PARCEL, SUCH AS PARKING AREAS, DRIVES, WALKS, PLANTERS/LANDSCAPE AREAS AND OTHER, HAVE BEEN LOCATED AS SHOWN HEREON. NOTE: THERE WERE NO OBSERVED SUBSTANTIAL AREAS OF REFUSE ON THE SUBJECT PARCEL PER THE DATE OF THIS SURVEY.

PER TABLE A ITEM 13; ADJOINING OWNERSHIP INFORMATION SHOWN HEREON WAS OBTAINED FROM THE HENNEPIN COUNTY WEBSITE. OWNERSHIP INFORMATION IS SUBJECT TO REVISION UPON RECEIPT OF A TITLE SEARCH BY A TITLE INSURANCE COMPANY.

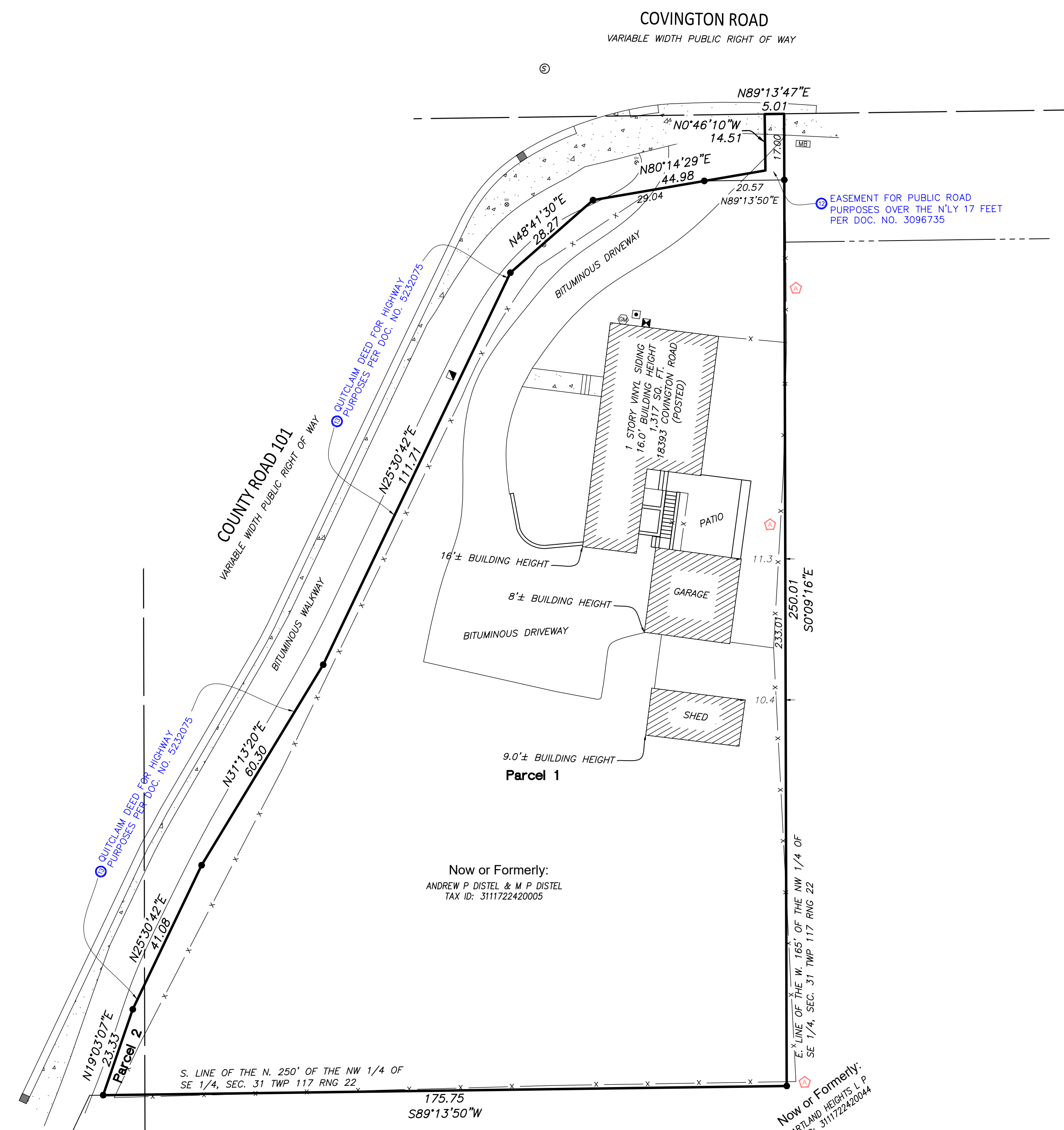
PER TABLE A ITEM 16; THERE WAS NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS OBSERVED AT THE TIME OF THE SURVEY.

PER TABLE A ITEM 17; THERE WAS NO EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS AND WE ARE NOT AWARE OF ANY PROPOSED CHANGES IN STREET RIGHT OF WAY LINES.

1. BASED ON OBSERVED EVIDENCE ONLY, THE SITE DOES NOT CONTAIN ANY CEMETERIES, BURIAL GROUNDS, OR INDIVIDUAL GRAVE SITES.
2. BASED ON OBSERVED EVIDENCE ONLY THERE IS NO EVIDENCE OF LAKES, CREEKS OR STREAMS WITHIN SUBJECT PROPERTY.
3. ALL STATEMENTS WITHIN THE CERTIFICATION, AND OTHER REFERENCES LOCATED ELSEWHERE HEREON, RELATED TO: UTILITIES, IMPROVEMENTS, STRUCTURES, BUILDINGS, PARTY WALLS, PARKING, EASEMENTS, SERVITUDES, AND ENCROACHMENTS; ARE BASED SOLELY ON ABOVE GROUND, VISIBLE EVIDENCE, UNLESS ANOTHER SOURCE OF INFORMATION IS SPECIFICALLY REFERENCED HEREON.
4. THE RECORD DESCRIPTIONS OF THE SUBJECT PROPERTY FORM A MATHEMATICALLY CLOSED FIGURE WITH NO GAPS, OR GORES.
5. THIS BEARING SYSTEM IS BASED ON HENNEPIN COUNTY COORDINATE SYSTEM, NAD83 2011 ADJUSTMENT.
6. PROPERTY HAS DIRECT AND PHYSICAL ACCESS TO AND FROM COVINGTON RD A DULY DEDICATED PUBLIC RIGHT OF WAY.

FLOOD INFORMATION

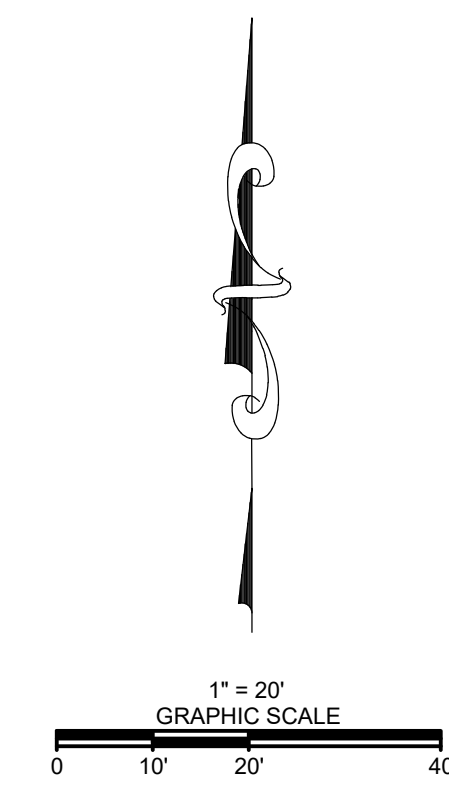
BY GRAPHIC PLOTTING ONLY, THIS PROPERTY LIES WITHIN ZONE "X", AS SHOWN ON THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 27053C0318F, WHICH BEARS AN EFFECTIVE DATE OF 11/4/2016, AND IS NOT IN A SPECIAL FLOOD HAZARD AREA. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE. ZONE "X" DENOTES AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.



SIGNIFICANT OBSERVATIONS

⊕ FENCE LINE CROSS ONTO AND OFF OF SUBJECT PROPERTY WITHOUT THE BENEFIT OF A KNOWN EASEMENT (OWNERSHIP UNKNOWN)

- IRON MONUMENT FOUND
- IRON MONUMENT SET WITH CAP NO. 57070
- ⊕ ELECTRIC METER
- ⊖ UTILITY PEDESTAL
- ⊠ AC UNIT
- ⊙ LIGHT POLE
- ⊕ GAS METER
- ⊖ MAIL BOX
- ⊖ UNKNOWN MANHOLE
- ⊖ STORM INLET SQUARE
- ⊖ SANITARY MANHOLE



TITLE DESCRIPTION

Par 1: That part of the north 250 feet of the west 165 feet of the Northwest Quarter of the Southeast Quarter of Section 31, Township 117, Range 22, Hennepin County, Minnesota, which lies southeasterly of the center line of State Trunk Highway No. 101.

Par 2: That part of the north 250 feet of the Northeast Quarter of the Southwest Quarter of Section 31, Township 117, Range 22, Hennepin County, Minnesota, which lies easterly of the center line of State Trunk Highway No. 101.

THE SURVEYED PROPERTY IS THE SAME PROPERTY AS SHOWN ON BURNET TITLE INSURANCE COMPANY COMMITMENT NO. 2164023-05316 HAVING AN EFFECTIVE DATE OF 6/8/2023 AT 7:00 A.M.

NOTES CORRESPONDING TO SCHEDULE "B" ITEMS

12. The following appear(s) as recital(s) on the Certificate of Title: Subject to a Mortgage in favor of Lakeland Mortgage Corporation, dated December 13, 1996 and recorded January 7, 1997 as County Recorder Document No. 6882999 to secure the principal sum of \$99,591.00 which Mortgage has been assigned in favor of Norwest Mortgage, Inc., a California corporation by an instrument recorded on January 28, 1997, as county recorder Document No. 6692502.

Subject to an easement in favor of the City of Minnetonka for public road purposes over the Northernly 17 feet of Parcel 1, as determined in Torrens Case No. 20197, Order Doc. No. 3096735. Subject to a highway easement in favor of the County of Hennepin for County State Aid Highway No. 101. Subject to right or encumbrances which may be subsisting, specified in Section 508.25, Chapter 508, Minnesota Statutes, and all acts amendatory thereof. (PLOTTED AND SHOWN HEREON)

13. The following appear(s) as a memorial(s) on the certificate of Title: Order and Decree of Registration, filed December 15, 1998 as document No. 3096735, Directing registration of above land pursuant to Minnesota Statutes, Chapter 508 on all acts amendatory thereof. Quit claim deed filed February 5, 2015 as Document No. 5232075, county of Hennepin. Granting an easement for highway purposes over a part of above land and a temporary easement for construction purposes over a part of above land. Said temporary easement to begin May 1, 2015 and expire on June 30, 2017 with an option to extend for 2 successive 6 month periods. Parcel 73 (PLOTTED AND SHOWN HEREON)

ALTA/NSPS Land Title Survey

for
18393 Covington Rd
 NWS Project No. 23660
 18393 Covington Rd
 Minnetonka, MN 55345

BASED UPON TITLE COMMITMENT NO. 2164023-05316
 OF BURNET TITLE INSURANCE COMPANY
 BEARING AN EFFECTIVE DATE OF 06/08/2023

Surveyor's Certification

To: Burnett Title Insurance Company; Heartland Heights Limited Partnership:

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, 7a, 7b1, 7c, 8, 13, 16, and 17 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON 07/06/2023.

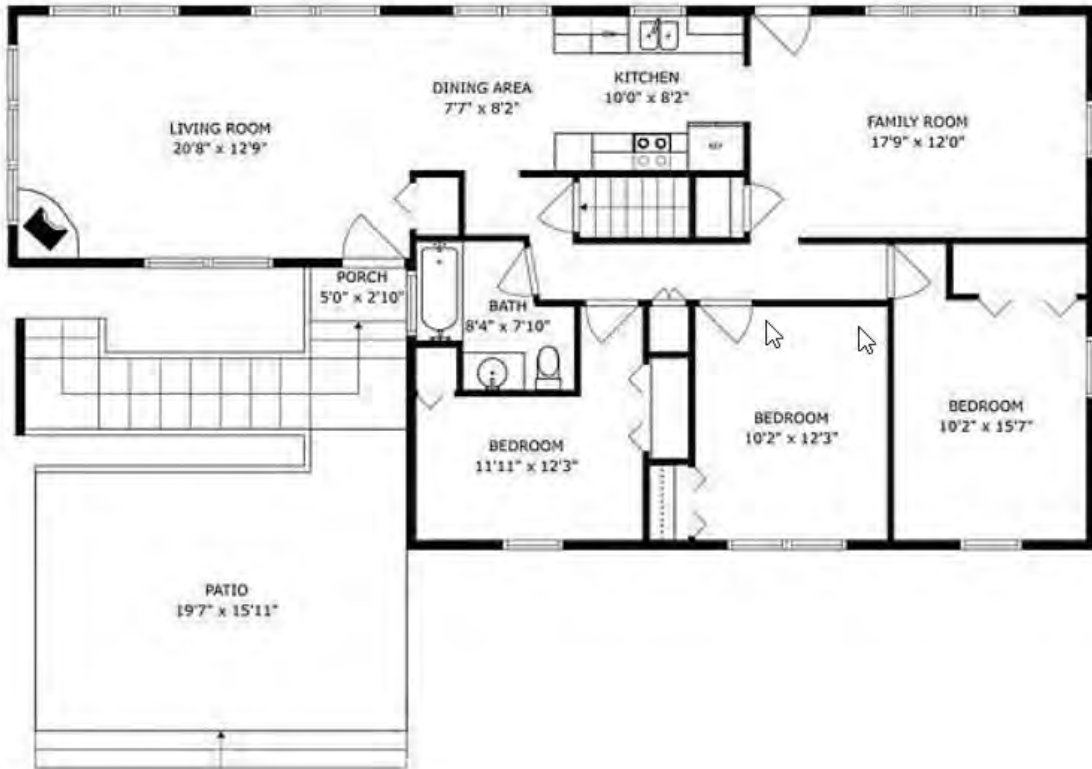
KALEB J. KADELBACH
 LICENSE NO.: 57070
 DATE OF FIELD SURVEY: 6/27/2023
 DATE OF LAST REVISION:
 NWS PROJECT NO.: 23660

7/10/2023
 DATE

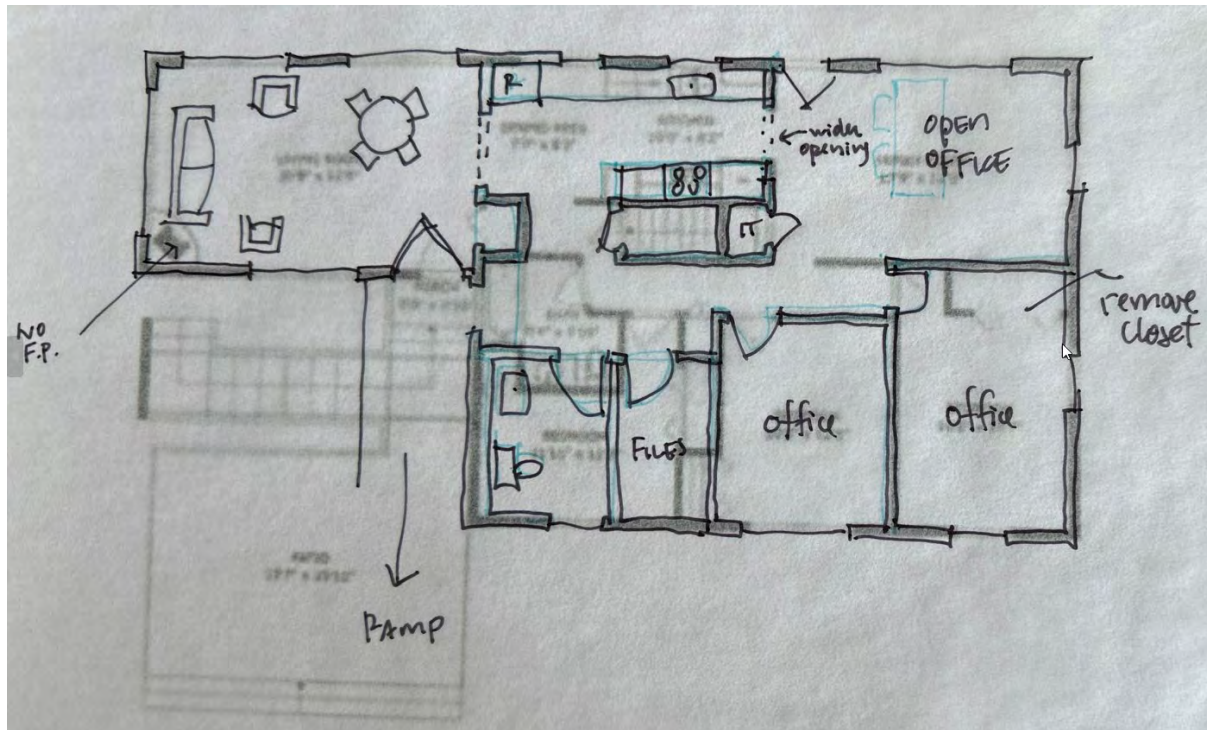
SHEET 1 OF 1

NORTHWESTERN SURVEYING & ENGINEERING, INC.

Existing Plans:



Future Plans:



Purpose of Rezoning:

Heartland Heights Limited Partnership purchased 18393 Covington Rd, Minnetonka, MN 55345 on 7/12/2023. Currently it is classified as residential and zoned R-1. This application request is to update the zoning classification to R-4. Please see below for our written statement on the purpose of this rezoning request.

We are the owners of Minnetonka Heights Apartments (5809 County Rd. 101, Minnetonka, MN 55345) which is the parcel directly south of 18393 Covington Rd, as you'll see in the screenshot included on page 2. Minnetonka Heights Apartments is a 176-unit affordable property that is zoned R-4.

Our ownership group is purchasing the house with the intention to utilize it as an on-site management office and maintenance shop for Minnetonka Heights. We're dedicated to supplying our residents with an exemplary on-site management team for all their needs. However, there isn't a true/dedicated management office or maintenance shop there at this time. The on-site staff is working from one of the apartment units which they are starting to outgrow.

For some more color, we partner with the YMCA to host after school programs for kids living at the property. The existing 'office' and community room does not have enough space for our growing numbers of participants. Utilizing 18393 Covington Rd as an on-site office would allow us to continue to grow the program that Heartland is so passionate about (see attached brief for more information on the YMCA Neighborhood Centers). It also has ample space for our two on-site Community Managers to office out of, as well as additional garages for our on-site maintenance team to use (which they desperately need). We also wanted to mention that there would only be a total of two on-site staff members that would work out of the office, so there will be limited impact on traffic and activity there, if any at all.

There aren't any plans to tear down any of the existing structures or build any brand-new structures. Our plans include:

1. Refit the existing home as the on-site dedicated management office. Please see the attached current and proposed sketches. Details of the future plans are bullet pointed below:
 - a. The future plans outline the addition of an ADA ramp ensuring seamless entry and exit for people using wheelchairs or other mobility aids.
 - b. As the owners of the adjacent parcel behind the home, we'll be utilizing the existing parking lot to add additional parking spaces to comply with any necessary parking requirements.
 - c. The future plans outline the renovation of the upstairs area which include:
 - i. Refitting the existing living room to a small lounge/waiting area for resident reception;
 - ii. Refitting the existing bedrooms to three (3) office spaces;
 - iii. Renovation and finish updates to the bathroom and kitchen.
 - d. The future plans include minor finish updates as needed to the basement.

2. Refit the existing garages as maintenance shops to store supplies, maintenance tools, and general property management equipment (i.e., snow blowers, golf cart, etc.).

We believe that this will benefit all parties involved. Our on-site team will have the necessary space to provide the exemplary management and maintenance service that Heartland is known for. We will also then be able to move out of the existing apartment unit and provide housing to an additional low-income family from our lengthy waitlist!

We met with City officials in April of 2023 and went over our proposed plan laid out above. They indicated that in order to be able to use the home as an office, it would need to be rezoned to R-4. However, they were optimistic that this would obtain approval, since that 18393 Covington Rd parcel is already in the 2030 Comprehensive Plan to be zoned as R-4. Please feel free to reach out to any of the contacts listed below with any questions or if there are additional requests. Thank you for your consideration!

Heartland Heights Limited Partnership

(Enclosures: Applicant contact details, zoning screenshot, YMCA program brief, existing plans, and future plan sketches)

Main POC – Sr. Project Manager: TJ LaDuke (tladuke@hrii.com)

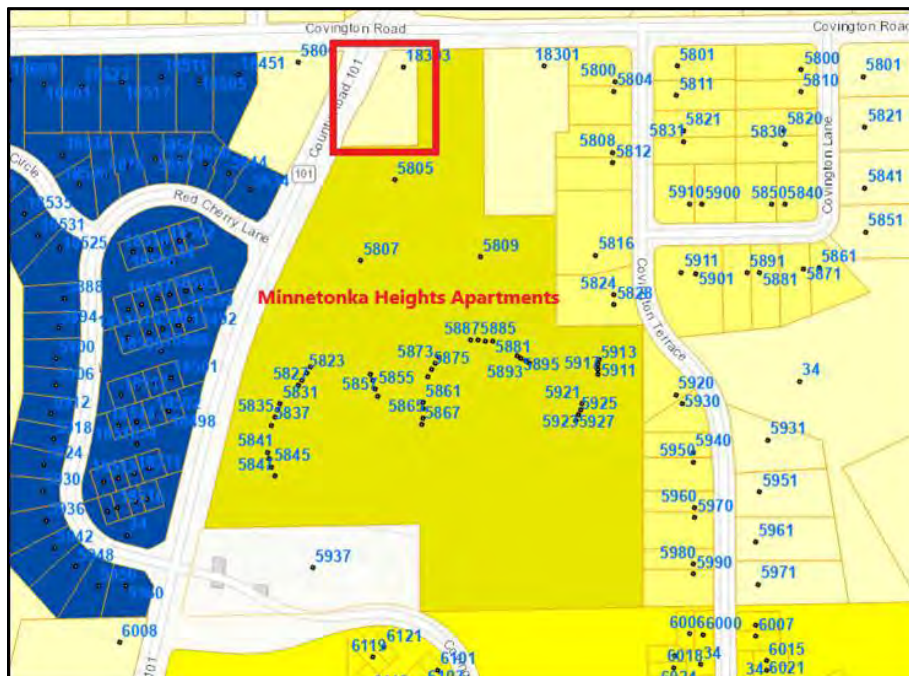
Vice President – Acquisitions: Mat hew Walter (mwalter@hrii.com)

Vice President – Operations: David Walter (dwalter@hrii.com)

Director of Project Management: Jenny Anderson (janderson@hrii.com)

CFO: Steven Perkins (sperkins@hrii.com)

Regional Property Manager: Sarah Walter (swalter@hrii.com)



Neighborhood Centers

YMCA Neighborhood Centers were created with community in mind. During a time when many government entities were focused on bringing services to the community and partnering with the community, the Y stepped up and developed cutting edge youth programming that would be provided inside affordable housing complexes across the Twin Cities, thus eliminating transportation and financial barriers to participation for those most in need. Over the past 18 years these community-based programs have been strategically developed with a multi-generational approach to serve entire families, providing an unparalleled opportunity to meet basic needs and position families for a long-term path out of poverty. This is done by focusing on supporting families in the areas of critical needs, education, postsecondary & employment pathways, health & wellbeing, civic engagement, social capital and economic assets.

At the onset of the COVID-19 pandemic the response at Neighborhood Centers has been fast and powerful. Each of our Neighborhood Centers shifted into a Community Resource Hub providing families with cleaning supplies, paper products, hygiene items, and fresh food. In collaboration with local school districts students were offered virtual tutoring, academic support materials, school supplies, and take home enrichment activities. Adult residents were supported with assistance applying for unemployment and submitting housing/government paperwork, as well as job and career readiness resources.

The Neighborhood Centers have always journeyed with youth and families during times of crisis and trauma. Team members are all provided training in Trauma Informed Care, Adverse Childhood Experiences, Dimension of Diversity & Cultural Lenses, as well as hands on experience at the YMCA Equity Innovation Center.

Acknowledging the murder of George Floyd and the subsequent uprising in our community, we know that once again the Neighborhood Centers will provide an important role in these communities. As we move forward our approach will consist of healing, rebuilding, and advocacy. All of this will be led by the community and done in partnership with the youth and families.

Healing: sharing circles, meditation, movement, arts

Rebuilding: basic needs, equity education, job/career development, volunteer projects

Advocacy: systems analysis, community and systemic change, local action groups



On site monthly food shelves provide families with the opportunity to receive fresh meat, produce, dairy, and shelf stable food items



Generous donations of books and board games provided families with fun things to do together



Reminding families that we support them and their lives matter

Ordinance No. 2023-

An ordinance rezoning the property at 18393 Covington Road from R-1, low-density residential, to R-4, medium-density residential

The City of Minnetonka Ordains:

Section 1.

1.01 The property located at 18393 Covington Road is hereby rezoned from R-1, low-density residential, to R-4, medium-density residential.

1.02 The property is legally described as follows:

Parcel 1: That part of the north 250 feet of the west 165 feet of the Northwest Quarter of the Southeast Quarter of Section 31, Township 117, Range 22, Hennepin County, Minnesota, which lies southeasterly of the center line of State Trunk Highway No. 101.

Parcel 2: That part of the north 250 feet of the Northeast Quarter of the Southwest Quarter of Section 31, Township 117, Range 22, Hennepin County, Minnesota, which lies easterly of the center line of State Trunk Highway No. 101.

Torrens Certificate No. 1563833

Section 2.

2.01 This action is based on the following findings:

1. The rezoning would bring the site closer to its high-density residential designation in the 2040 Comprehensive Guide Plan.
2. The rezoning would be consistent with the R-4 zoning of the adjacent Minnetonka Heights property.
3. The rezoning would not negatively impact public health, safety, or general welfare.

Section 3.

3.01 This action is subject to the following conditions:

1. The 18393 Covington Road must be combined with the property at 5809 County Road 101.
2. The existing driveway to Covington Road must be removed and a new driveway connection must be made between the structure on 18393 Covington Road and the apartment complex parking lot.
3. The existing curb cut to Covington Road must be removed and re-poured with B612 curbing and the adjacent sidewalk panels replaced to match the higher curb elevations.
4. The building must be retrofitted with fire sprinklers as required by the fire marshal.

Section 4. This ordinance is effective only upon the proper combination of 18393 Covington Road and 5809 County Road 101 properties.

Adopted by the city council of the City of Minnetonka, Minnesota, on Sept. 18, 2023.

Brad Wiersum, Mayor

Attest:

Becky Koosman, City Clerk

Action on this ordinance:

Date of introduction: Aug. 14, 2023

Date of adoption: Sept. 18, 2023

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 true and correct copy of an ordinance adopted by the city council of the City of Minnetonka, Minnesota at a regular meeting held on Sept. 18, 2023.

Becky Koosman, City Clerk

MINNETONKA PLANNING COMMISSION
Sept. 7, 2023

Brief Description	Ordinance rezoning the properties at 5501 Baker Road and 5432 Rowland Road from R-1, low-density residential, to R-2, low-density residential.
Recommendation	Recommend the city council adopt the ordinance rezoning the properties.

Background

In 1988, the city purchased the property at 5501 Baker Road to accommodate an interchange planned for I-494 and Baker Road. Twenty years later, the owner of 5432 Rowland Road approached the city, offering to sell their lot to the city. The city purchased this lot and explored purchasing other lots in the vicinity to accommodate a larger redevelopment of the area. Given the market realities of the mid-2000s, the city did not move forward with this plan. The dwellings on both lots were subsequently leased to long-term tenants, who voluntarily vacated the dwellings over time.

In Dec. 2022, the Minnetonka housing and economic development staff conducted two Land Use Discussion meetings regarding the city-owned lots. During these meetings, staff engaged area property owners in conversation about possible redevelopment of the combined 2.25-acre site. The staff outlined the city's vision for redevelopment, specifically to "invest in affordable housing opportunity, promote sustainability, protection of natural resources, and create opportunity for non-traditional home builders." (See neighborhood meeting information and presentations [here](#).) Generally, the city vision was supported by the meeting attendees. The city then published a Request for Contractor Interest (RFI) seeking development proposals for the site.

The city received one response from [Amani Construction & Development](#) for construction of a twinhome on the Rowland Road site.

Current Proposal

To accommodate a possible twinhome on one or both of the city-owned properties, staff is proposing the properties be rezoned from R-1, low-density residential, to R-2, low-density residential. The rezoning would not necessarily result in such construction but would allow the city to continue contract/sales conversations with Amani Construction & Development.

Staff Analysis

The rezoning request is reasonable, as:

- An R-2 zoning would be consistent with the properties' low-density 2040 Comprehensive Guide Plan designation.
- The rezoning would not significantly impact the surrounding area, which already has a variety of housing types including single-household and multi-household dwellings.

- Though adjacent to R-1, single-household dwellings to the north and west, the properties are also adjacent to a regional trail and I-494 to the south and east.

Staff Recommendation

Recommend the city council adopt the ordinance rezoning the properties at 5501 Baker Road and 5432 Rowland Road from R-1, low-density residential, to R-2, low-density residential.

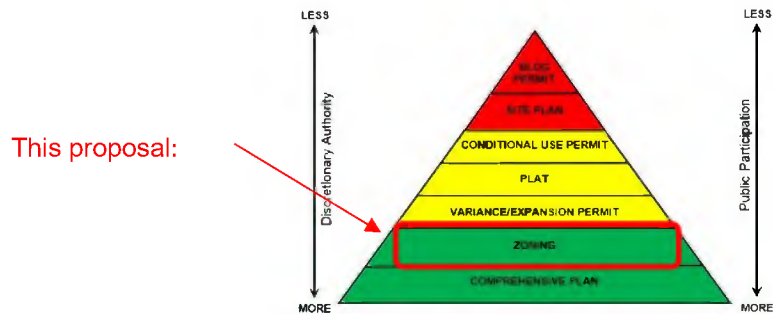
Originator: Susan Thomas, AICP, Assistant City Planner

Through: Loren Gordon, AICP, City Planner

Supporting Information

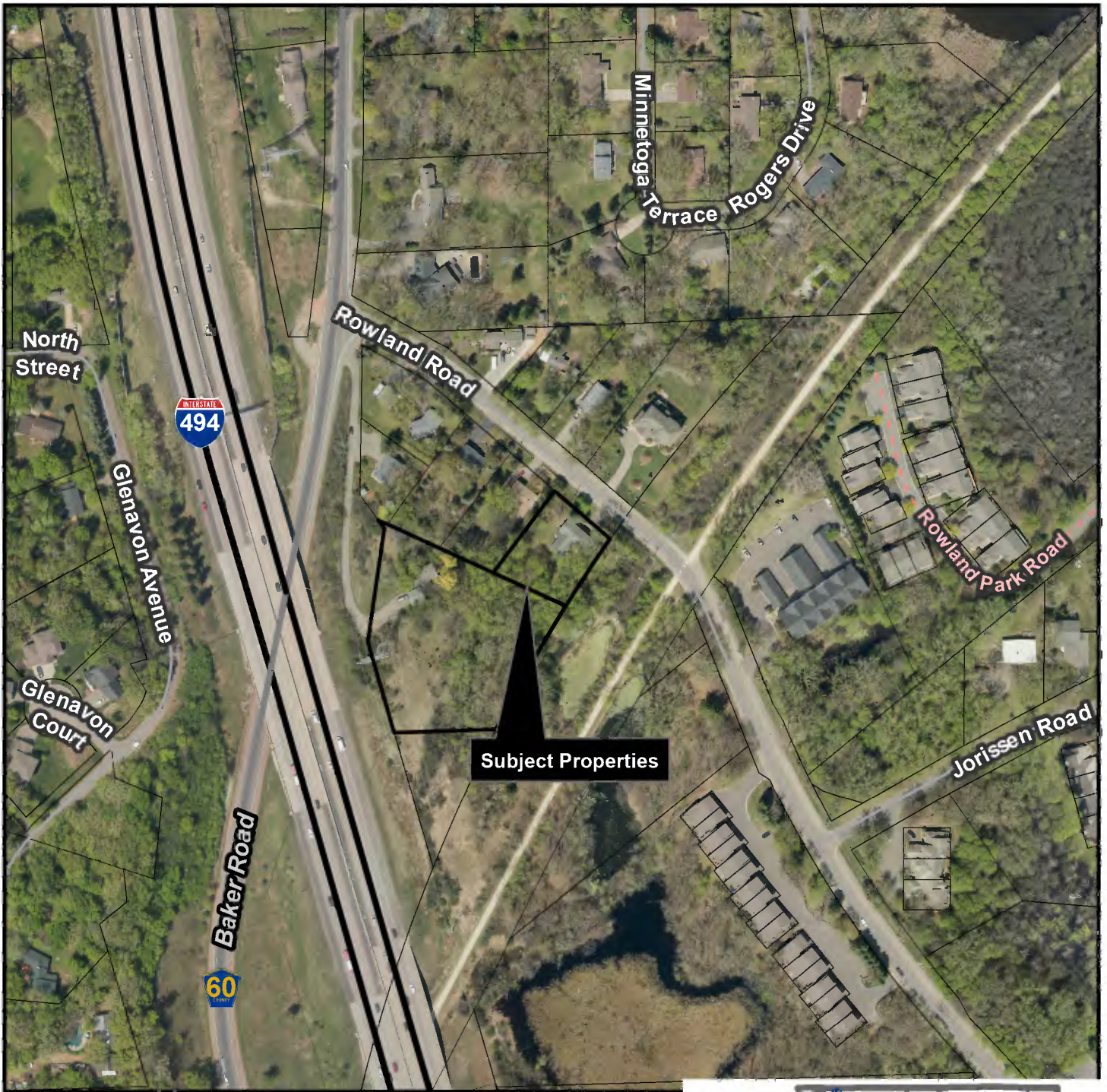
Subject Property	The subject properties are zoned R-1, low-density residential and have low-density designations in the Comprehensive Guide Plan.
Surrounding Properties	North: Single-household dwellings, zoned R-1 South: City-owned parcels and I-494 beyond East: Regional trail West: Single-household dwellings, zoned R-1, and I-494 beyond
Neighborhood Comments	The city sent notices to 123 area property owners and has received no written comments to date.

Pyramid of Discretion



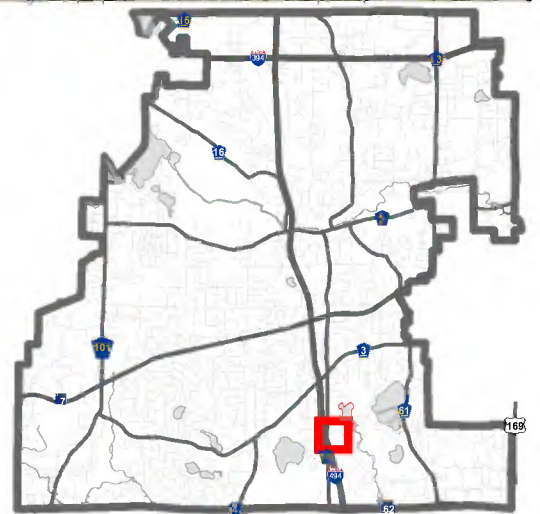
Commission Action	<p>The planning commission will make a recommendation to the city council; a recommendation requires a majority vote of the commission. The planning commission has the following options:</p> <ol style="list-style-type: none">1. Concur with staff's recommendation. In this case, a motion should be made recommending the city council approve the rezoning.2. Disagree with staff's recommendation. In this case, a motion should be made recommending the city council deny the rezoning. The motion must 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.
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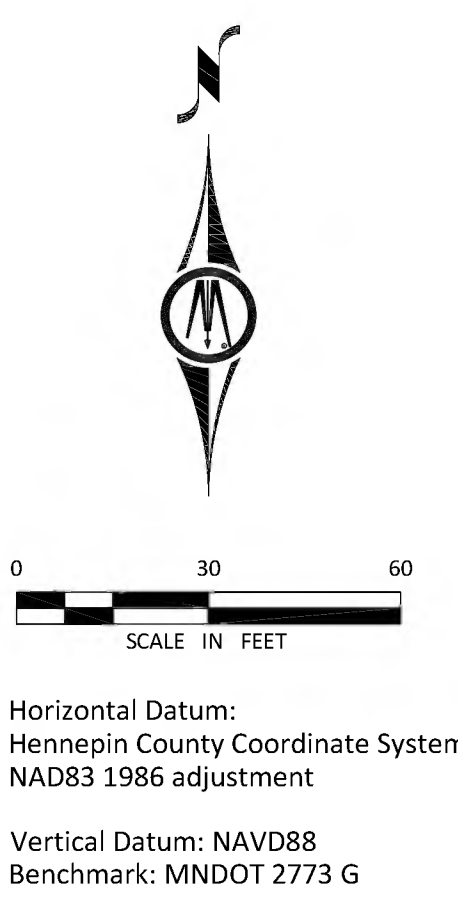
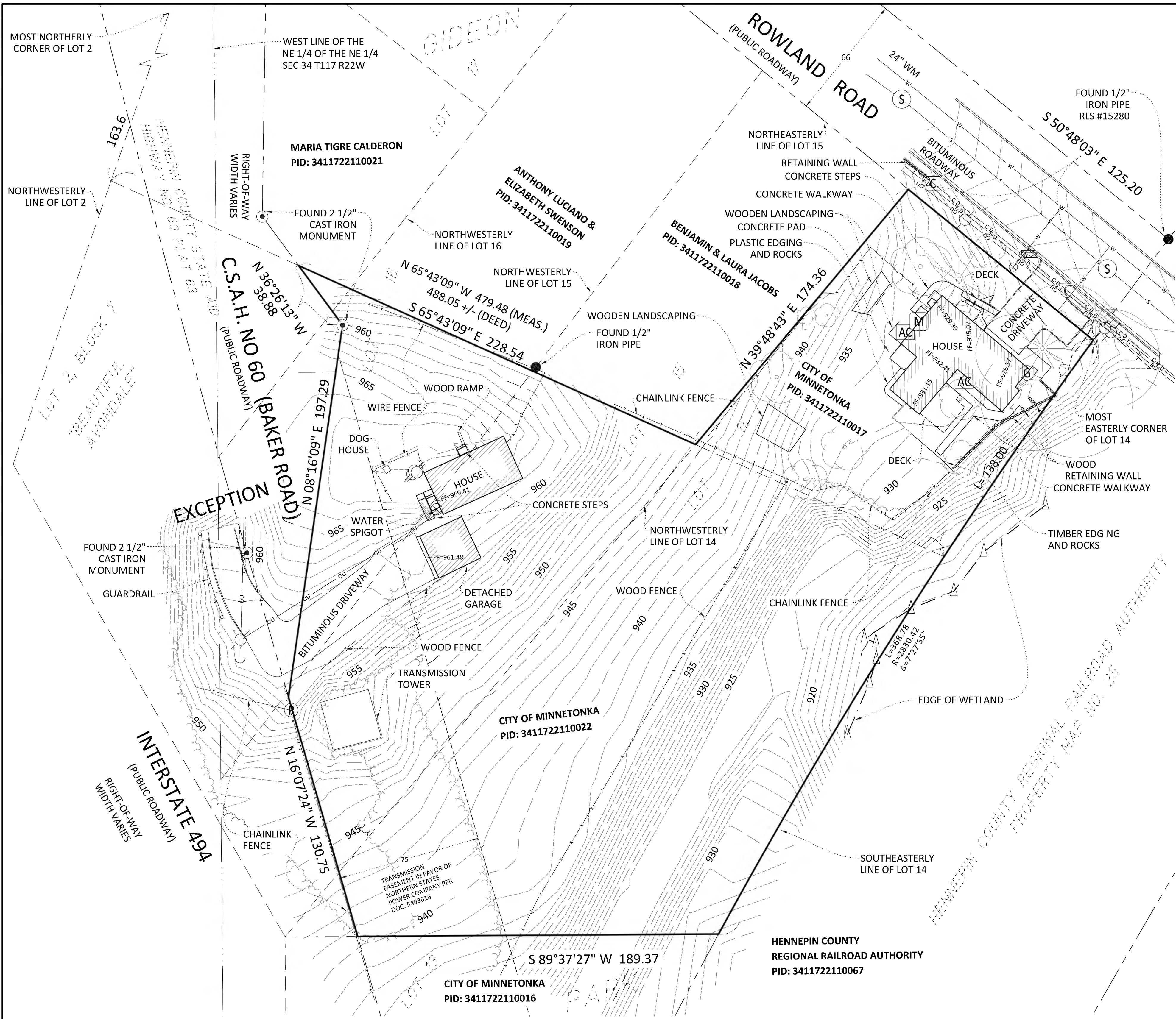
Deadline for Action Dec. 4, 2023



Location Map

Project: Baker Rowland Properties
Address: 5501 Baker Rd; 5432 Rowland





LEGAL DESCRIPTION

(PER WARRANTY DEED DOC. NO 5493616)

That part of Lots 13, 14, 15, 16, and 17, Gideon Park, and that part of Lot 2, Block 7, "Beautiful Avondale", Hennepin County, Minnesota, according to the respective plats thereof, lying Southwesterly of the following line: Beginning in the Southeastery line of Lot 14 at a point 138 feet Southwesterly from the most Easterly corner of said Lot 14; thence Northwesterly 488.05 feet, more or less to a point on the Northwesterly line of said Lot 2, 163.6 feet southwesterly from the most Northerly corner of said Lot 2, except that part thereof taken by the Highway Department for Interstate Highway No. 494 (formerly 393 - See Book 3157 of Mortgages, page 611).

(Abstract)

AND

(PER WARRANTY DEED DOC. NO 7406617)

That part of Lot 14, Gideon Park, lying Northeasterly of the following line: Beginning in the Southeastery line of Lot 14 at a point 138 feet Southwesterly from the most Easterly corner of said Lot 14; thence Northwesterly 488.05 feet, more or less, to a point in the Northwesterly line of Lot 2, Block 7, "Beautiful Avondale" Hennepin County, Minnesota, 163.6 feet Southwesterly from the most Northerly corner of said Lot 2.

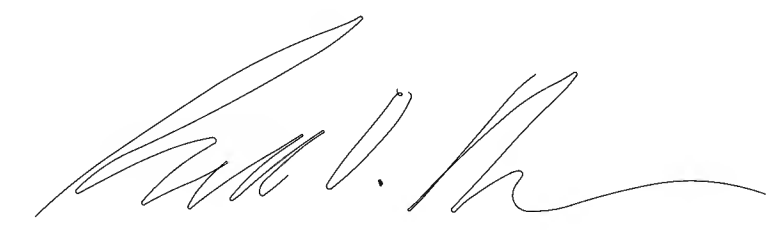
(Abstract)

SURVEYOR'S NOTES

- Warranty Deed Doc. No. 5493616 includes Lot 13 of Gideon Park. Lot 13 is not a part of the scope of this survey.
- Orientation of the bearing system used for this survey is based on Hennepin County Coordinate System NAD83 (1986 ADL).
- Surveyed properties areas:
5501 Baker Rd: 77325.63 sq ft or 1.78 ac. (PID 3411722110017)
5432 Rowland Rd: 20544.21 sq ft or 0.47 ac. (PID 3411722110022)
- Exterior dimensions of all buildings at ground level. The building foundation, which is not visible, may extend beyond the exterior building lines shown.
- Underground utility lines and structures are shown in an approximate way only, according to information provided by others. A request that utilities be located for this survey was made through Gopher State One Call (Ticket No. 221231603 & 221292856). The underground utility lines and structures shown on this map represent the information provided to Bolton & Menk, Inc. as a result of that request. The surveyor does not guarantee that the information provided was either complete or accurate. The surveyor does not guarantee that there are no other underground utility lines and structures, active or abandoned, on or adjacent to the subject property.

SURVEYOR'S CERTIFICATION

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.



 Russell O. Halverson
 License Number 41813

7/28/2022

 Date

LEGEND

●	MONUMENT FOUND	Ⓜ	METER
⦿	MONUMENT FOUND - CAST IRON	Ⓜ	MAILBOX
AC	AIR CONDITIONER	Ⓜ	MANHOLE-SANITARY SEWER
⊗	CURB STOP	Ⓜ	METER
Ⓜ	GAS METER	Ⓜ	PEDESTAL-COMMUNICATION
Ⓜ	MAILBOX	Ⓜ	POST
Ⓜ	MANHOLE-SANITARY SEWER	Ⓜ	SIGN TRAFFIC
Ⓜ	METER	Ⓜ	POLE-UTILITY

—OU—OU—OU—	OVERHEAD UTILITY
-x-x-x-x-x-x-x-x-x-x-	FENCE
=====	RETAINING WALL
—S—S—S—S—S—S—S—S—	SANITARY SEWER
—W—W—W—W—W—W—W—W—	WATER SYSTEM
—————	BOUNDARY LINE
- - - - -	DEED LINE

TOPOGRAPHIC SURVEY
 5501 BAKER RD & 5432 ROWLAND RD, MINNETONKA, MN 55343

BOLTON & MENK
 12224 NICOLLET AVENUE
 BURNSVILLE, MINNESOTA 55337
 (952) 890-0509

PART OF: LOTS 13, 14, 15, 16, 17
 GIDEON PARK, AND PART OF:
 LOT 2, BLOCK 7, "BEAUTIFUL AVONDALE"
 HENNEPIN COUNTY, MN
 FOR: CITY OF MINNETONKA

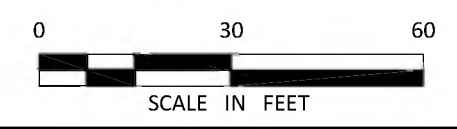
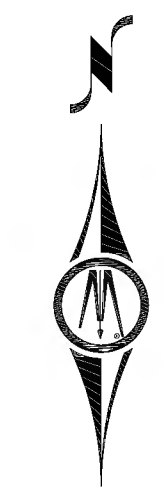
SHEET 1 OF 2



TREE INVENTORY					TREE INVENTORY					TREE INVENTORY					TREE INVENTORY				
Point #	Tree Type	DSH	Height	Condition	Point #	Tree Type	DSH	Height	Condition	Point #	Tree Type	DSH	Height	Condition	Point #	Tree Type	DSH	Height	Condition
1	Mulberry, Red	2	5' - 15'	5	53	Oak, White	68	30' - 60'	5	105	Boxelder	2.5	30' - 60'	5	157	Maple, Silver	30	60+	4
2	Mulberry, Red	3	5' - 15'	4	54	Mulberry, Red	3.5	5' - 15'	5	106	Boxelder	1.2	30' - 60'	5	158	Maple, Silver	30	60+	4
3	Mulberry, Red	4	5' - 15'	4	55	Boxelder	2	5' - 15'	5	107	Boxelder	1.7	15' - 30'	5	159	Boxelder	10	30' - 60'	4
4	Mulberry, Red	2	5' - 15'	5	56	Maple, Sugar	1	5' - 15'	5	108	Boxelder	1.5	30' - 60'	5	160	Maple, Silver	30	30' - 60'	4
5	Walnut, Black	54	30' - 60'	5	57	Mulberry, Red	17	5' - 15'	3	109	Oak, Northern Red	4.7	60+	5	161	Boxelder	18	30' - 60'	5
6	Boxelder	36	30' - 60'	5	58	Mulberry, Red	3	5' - 15'	5	110	Ash, White	0.6	5' - 15'	5	162	Boxelder	5	15' - 30'	4
7	Cedar, Eastern Red	17	15' - 30'	4	59	Maple, Sugar	13	30' - 60'	5	111	Cherry, Black	1.5	15' - 30'	5	163	Boxelder	4	5' - 15'	5
8	Mulberry, Red	4	5' - 15'	5	60	Boxelder	12	30' - 60'	5	112	Oak, Northern Pin	6.45	60+	4	164	Boxelder	10	30' - 60'	5
9	Mulberry, Red	6	5' - 15'	5	61	Ash, White	1	5' - 15'	5	113	Oak, sp.	3.6	60+	0	165	Boxelder	20	30' - 60'	5
10	Boxelder	19	30' - 60'	4	62	Hackberry, Northern	3	5' - 15'	5	114	Boxelder	1.45	30' - 60'	5	166	Boxelder	5	15' - 30'	5
11	Mulberry, Red			5	63	Boxelder	15	30' - 60'	5	115	Boxelder	1.3	15' - 30'	1	167	Boxelder	9	15' - 30'	4
12	Boxelder	4	5' - 15'	5	64	Boxelder	5	15' - 30'	5	116	Boxelder	1.7	30' - 60'	5	168	Boxelder	23	30' - 60'	4
13	Mulberry, Red	2	15' - 30'	5	65	Mulberry, Red	4	5' - 15'	5	117	Oak, White	5.5	30' - 60'	4	169	Boxelder	8	15' - 30'	5
14	Cherry, sp.	16	15' - 30'	4	66	Mulberry, Red	2	5' - 15'	5	118	Boxelder	1.95	30' - 60'	5	170	Boxelder	15	30' - 60'	4
15	Boxelder	6	5' - 15'	4	67	Mulberry, Red	11	5' - 15'	5	119	Boxelder	2.45	30' - 60'	4	171	Boxelder	9	15' - 30'	5
16	Mulberry, sp.	18	15' - 30'	4	68	Boxelder	17	15' - 30'	5	120	Ash, White	1.7	5' - 15'	0	172	Boxelder	7	15' - 30'	5
17	Boxelder	26	15' - 30'	4	69	Boxelder	4	5' - 15'	5	121	Boxelder	3.5	30' - 60'	4	173	Boxelder	10	30' - 60'	5
18	Boxelder	14	15' - 30'	5	70	Mulberry, Red	22	30' - 60'	5	122	Boxelder	1.9	30' - 60'	5	174	Boxelder	5	15' - 30'	4
19	Maple, Silver	52	30' - 60'	4	71	Maple, Sugar	40	30' - 60'	5	123	Boxelder	4.3	60+	5	175	Boxelder	12	30' - 60'	5
20	Boxelder	60	30' - 60'	5	72	Mulberry, Red	12	15' - 30'	4	124	Cottonwood, Eastern	9.2	60+	5	176	Boxelder	9	15' - 30'	4
21	Mulberry, Red	12	5' - 15'	5	73	Ash, White	1	5' - 15'	5	125	Walnut, Black	2.35	15' - 30'	5	177	Maple, Silver	36	60+	6
22	Mulberry, Red			5	74	Boxelder	5	5' - 15'	5	126	Walnut, Black	2.45	15' - 30'	5	178	Boxelder	10	15' - 30'	4
23	Mulberry, Red	9	15' - 30'	5	75	Maple, Sugar	50	60+	5	127	Walnut, Black	1.1	15' - 30'	5	179	Boxelder	8	15' - 30'	5
24	Hackberry, Northern	8.5	15' - 30'	5	76	Maple, Sugar	64	60+	5	128	Cedar, Eastern Red	0.9	5' - 15'	5	180	Boxelder	11	30' - 60'	5
25	Maple, Silver	148	30' - 60'	3	77	Maple, Sugar	39	60+	5	129	Walnut, Black	1.9	15' - 30'	5	181	Maple, Silver	36	60+	5
26	Walnut, Black	8	15' - 30'	5	78	Maple, Sugar	53	30' - 60'	5	130	Walnut, Black	1.45	15' - 30'	5	182	Maple, Silver	35	60+	5
27	Maple, Silver	48	60+	5	79	Spruce, Blue	14	5' - 15'	3	131	Walnut, Black	1.95	15' - 30'	5	183	Oak, White	10	30' - 60'	4
28	Boxelder	28	30' - 60'	5	80	Boxelder	1	5' - 15'	5	132	Tree Lilac, Japanese	6.5	15' - 30'	4	184	Boxelder	4	15' - 30'	5
29	Walnut, Black			5	81	Boxelder	48	30' - 60'	5	133	Walnut, Black	1.85	15' - 30'	5	185	Oak, Black	40	60+	5
30	Walnut, Black			5	82	Boxelder	100	60+	5	134	Walnut, Black	1	15' - 30'	5	186	Oak, Black	26	30' - 60'	5
31	Hackberry, Northern	9	5' - 15'	5	83	Cedar, Eastern Red	0.35	5' - 15'	5	135	Walnut, Black	2.3	30' - 60'	5	187	Oak, White	26	30' - 60'	5
32	Hackberry, Northern	6	5' - 15'	5	84	Cedar, Eastern Red	0.25	5' - 15'	5	136	Walnut, Black	0.7	5' - 15'	4	188	Oak, White	17	15' - 30'	4
33	Walnut, Black	100	60+	5	85	Cedar, Eastern Red	0.15	5' - 15'	5	137	Walnut, Black	3.6	30' - 60'	5	189	Oak, White	24	30' - 60'	5
34	Hackberry, Northern	8	15' - 30'	5	86	Cedar, Eastern Red	0.4	5' - 15'	5	138	Walnut, Black	2.75	30' - 60'	5	190	Boxelder	4	15' - 30'	5
35	Hackberry, Northern	4	5' - 15'	5	87	Cedar, Eastern Red	0.25	5' - 15'	5	139	Maple, Silver	11.5	30' - 60'	0	191	Oak, White	25	30' - 60'	5
36	Maple, Silver	94	30' - 60'	4	88	Cedar, Eastern Red	0.25	5' - 15'	5	140	Walnut, Black	2.7	30' - 60'	5	192	Boxelder	27	30' - 60'	5
37	Mulberry, Red	6	5' - 15'	5	89	Boxelder	3.6	30' - 60'	4	141	Boxelder	1.55	15' - 30'	3	193	Boxelder	18	15' - 30'	1
38	Boxelder	40	15' - 30'	4	90	Boxelder	3	30' - 60'	5	142	Boxelder	2	30' - 60'	5	194	Boxelder	5	15' - 30'	5
39	Mulberry, Red	4	5' - 15'	5	91	Boxelder	3.1	30' - 60'	3	143	Boxelder	2	5' - 15'	4	195	Oak, White	22	30' - 60'	5
40	Walnut, Black	4	5' - 15'	5	92	Boxelder	2.3	15' - 30'	4	144	Boxelder	4	15' - 30'	3	196	Boxelder	25	30' - 60'	5
41	Mulberry, Red	6	5' - 15'	5	93	Boxelder	2.3	30' - 60'	4	145	Cedar, Eastern Red	0.4	5' - 15'	5	197	Walnut, Black	23	30' - 60'	4
42	Mulberry, Red	6	5' - 15'	5	94	Boxelder	2.2	30' - 60'	4	146	Cedar, Eastern Red	0.4	5' - 15'	5	198	Oak, Northern Pin	50	60+	4
43	Mulberry, Red	4	5' - 15'	5	95	Boxelder	1.4	30' - 60'	3	147	Cedar, Eastern Red	0.4	5' - 15'	5	199	Boxelder	16	30' - 60'	4
44	Mulberry, Red	12	5' - 15'	5	96	Boxelder	2.4	30' - 60'	5	148	Cedar, Eastern Red	0.7	5' - 15'	5	200	Oak, Northern Pin	50	60+	5
45	Walnut, Black	9	5' - 15'	5	97	Boxelder	1.6	30' - 60'	3	149	Cedar, Eastern Red	0.9	5' - 15'	5	201	Oak, Northern Pin	40	30' - 60'	3
46	Walnut, Black			5	98	Boxelder	2.4	30' - 60'	3	150	Cedar, Eastern Red	0.4	5' - 15'	5	202	Mulberry, White	5	5' - 15'	4
47	Walnut, Black	8	5' - 15'	5	99	Cottonwood, Eastern	8	60+	5	151	Cedar, Eastern Red	0.4	5' - 15'	5	203	Boxelder	5	15' - 30'	5
48	Boxelder	10	15' - 30'	5	100	Boxelder	3.7	30' - 60'	5	152	Cedar, Eastern Red	0.4	5' - 15'	5	204	Willow, Black	50	60+	4
49	Spruce, sp.	37	30' - 60'	5	101	Boxelder	1.3	15' - 30'	5	153	Cedar, Eastern Red	0.4	5' - 15'	5	205	Cedar, Eastern Red	13	30' - 60'	1
50	Cottonwood, Eastern	188	60+	5	102	Ash, White	0.55	5' - 15'	5	154	Ash, White	0.85	15' - 30'	5	206	Cedar, Eastern Red	12	15' - 30'	1
51	Spruce, sp.	60	60+	5	103	Cottonwood, Eastern	13	60+	0	155	Walnut, Black	3.2	30' - 60'	5					
52	Tree Lilac, Japanese	41	30' - 60'	5	104	Boxelder	1.75	15' - 30'	4	156	Boxelder	10	30' - 60'	5					

LEGEND

- MONUMENT FOUND
- MONUMENT FOUND - CAST IRON
- AIR CONDITIONER
- CURB STOP
- GAS METER
- MAILBOX
- MANHOLE-SANITARY SEWER
- METER
- PEDESTAL-COMMUNICATION
- POST
- SIGN TRAFFIC
- POLE-UTILITY
- OVERHEAD UTILITY
- FENCE
- RETAINING WALL
- SANITARY SEWER
- WATER SYSTEM
- BOUNDARY LINE
- DEED LINE



Horizontal Datum:
Hennepin County Coordinate System
NAD83 1986 adjustment

Vertical Datum: NAVD88
Benchmark: MNDOT 2773 G

TOPOGRAPHIC SURVEY
5501 BAKER RD & 5432 ROWLAND RD, MINNETONKA, MN 55343

12224 NICOLLET AVENUE
BURNSVILLE, MINNESOTA 55337
(952) 890-0509

PART OF: LOTS 13, 14, 15, 16, 17
GIDEON PARK, AND PART OF:
LOT 2, BLOCK 7, "BEAUTIFUL AVONDALE"
HENNEPIN COUNTY, MN

FOR: CITY OF MINNETONKA

SHEET 2 OF 2

Ordinance No. 2023-

An ordinance rezoning the properties at 5501 Baker Road and 5432 Rowland Road from R-1, low-density residential, to R-2, low-density residential.

The City Of Minnetonka Ordains:

Section 1.

1.01 The properties located at 5501 Baker Road and 5432 Rowland Road are hereby rezoned from R-1, low-density residential, to R-2, low-density residential.

1.02 The properties are legally described as follows:

(PER WARRANTY DEED DOC. NO 5493616)

That part of Lots 13, 14, 15, 16, and 17, Gideon Park, and that part of Lot 2, Block 7, "Beautiful Avondale", Hennepin County, Minnesota, according to the respective plats thereof, lying Southwesterly of the following line:

Beginning in the Southeasterly line of Lot 14 at a point 138 feet Southwesterly from the most Easterly corner of said Lot 14; thence Northwesterly 488.05 feet, more or less to a point on the Northwesterly line of said Lot 2, 163.6 feet southwesterly from the most Northerly corner of said Lot 2, except that part thereof taken by the Highway Department for Interstate Highway No. 494 (formerly 393 - See Book 3157 of Mortgages, page 611).

(Abstract)

AND

(PER WARRANTY DEED DOC. NO 7406617)

That part of Lot 14, Gideon Park, lying Northeasterly of the following line:

Beginning in the Southeasterly line of Lot 14 at a point 138 feet Southwesterly from the most Easterly corner of said Lot 14; thence Northwesterly 488.05 feet, more or less, to a point in the Northwesterly line of Lot 2, Block 7, "Beautiful Avondale" Hennepin

County, Minnesota, 163.6 feet Southwesterly from the most Northerly corner of said Lot 2.

(Abstract)

Section 2.

2.01 This action is based on the following findings:

1. The rezoning would be consistent with the properties' low-density 2040 Comprehensive Guide Plan designation.
2. The rezoning would not significantly impact the surrounding area, which already has a variety of housing types including single-household and multi-household dwellings.
3. The rezoning would not negatively impact public health, safety, or general welfare.

Section 3. This ordinance is effective immediately.

Adopted by the city council of the City of Minnetonka, Minnesota, on Sept. 18, 2023.

Brad Wiersum, Mayor

Attest:

Becky Koosman, City Clerk

Action on this ordinance:

Date of introduction: Aug. 14, 2023

Date of adoption: Sept. 18, 2023

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 true and correct copy of an ordinance adopted by the city council of the City of Minnetonka, Minnesota at a regular meeting held on Sept. 18, 2023.

Becky Koosman, City Clerk

MINNETONKA PLANNING COMMISSION
Sept. 7, 2023

Brief Description	Items concerning Walser Kia at 15700 and 15724 Wayzata Blvd: <ol style="list-style-type: none">1. Preliminary and final plats;2. Master development plan;3. Conditional use permit;4. Site and building plan review, with expansion permits and variances; and5. Floodplain alteration permit.
Recommendation	Recommend the city council adopt the ordinance and the resolutions approving the Walser Kia proposal.

Background

In April 2023, Walser Real Estate, LLC. submitted formal applications for the redevelopment of the combined 15700 and 15724 Wayzata Blvd site. The proposal required 11 variances, including setback variances, wetland buffer variances, and a parking ratio variance. In staff's opinion, the proposed auto dealership use of the site was appropriate. However, staff was also of the opinion that many of the requested variances did not meet the variance standard outlined in both state statute and city code. For that reason, staff recommended the denial of the proposal.

The planning commission considered the proposal on June 1, 2023. The commission concurred with staff and recommended the council deny the redevelopment as proposed. ([See report and minutes.](#))

The city council considered the proposal on June 26, 2023. The council conversation was similar to that of the planning commission. Councilmembers suggested the use was generally appropriate, but there were too many embedded variances. Before a final vote, the applicant requested the council delay formal action. ([See report and minutes.](#))

Revised Plans/Current Proposal

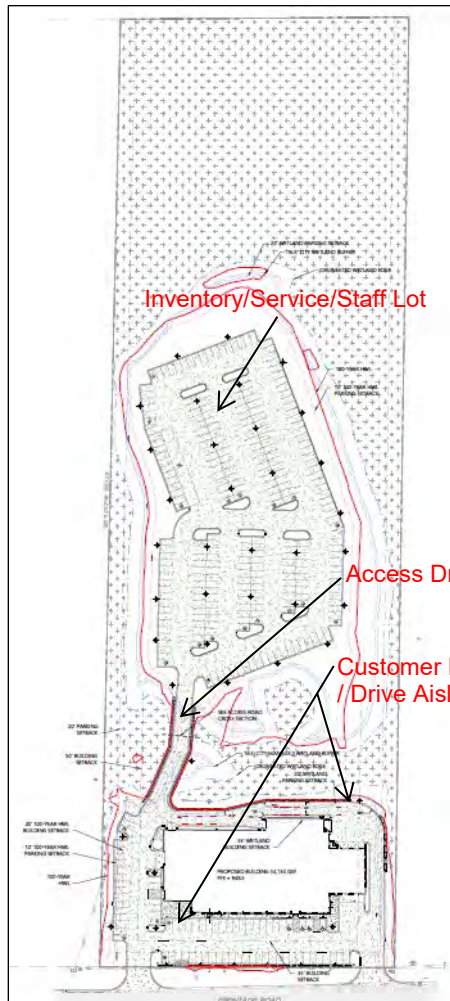
Since the June meeting, the applicant reviewed the comments received from staff and at planning commission and council meetings, as well as the requirements of KIA corporate. Revised plans were submitted, which constitute the current proposal. The primary revisions are:

- **Building Footprint and Surrounding Drive Aisles.** The dealership/service building and drive aisles to the north and east have been redesigned to eliminate all variances

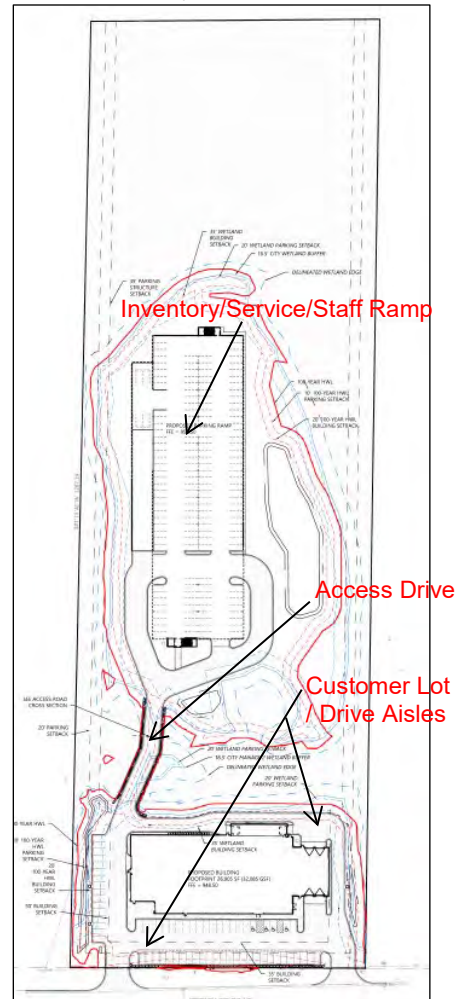
from this area of the site.¹ (See the comparison chart in the Supporting Information section of the report.)

- **Parking Ramp.** Under the revised plans, a four level ramp – ground level and three decks above – would be constructed. The ramp would be occupied by new and used inventory, service vehicles, and staff parking. The proposed ramp eliminates the parking ratio variance. In discussions with staff, the applicant noted that while both the previous parking lot plan and current ramp plan have positive and negative aspects from a business perspective, the ramp plan has been advanced specifically because it eliminates the need for a variance.

ORIGINAL PROPOSAL



REVISED PLAN/CURRENT PROPOSAL



- **Stormwater Management.** While staff was intrigued by the pervious pavement of the original proposal, this creative stormwater management practice has not previously been used to this extent in the city. Staff was concerned about the size, complexity, and future maintenance of the lot. Under the revised plan, the stormwater management system has been redesigned from pervious pavement to a more standard, basin system. Together with the parking ramp's smaller footprint, this system improves the pervious-to-impervious

¹ An expansion permit is still required to maintain the existing, non-conforming parking lot setback from the south property line. Staff previously supported this expansion permit.

ratio on-site. The plan still includes a rainwater reuse system for the dealership car wash.

Staff Analysis

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

- **Is the proposed use appropriate?**

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

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

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



- **Is a parking ramp reasonable?**

Yes. Within the PID district, automobile uses having service bays are conditionally permitted on properties designated for retail use.³ The ordinance contains six CUP standards for such uses, and each of these contains several sub-standards. One of the CUP standards requires that either:

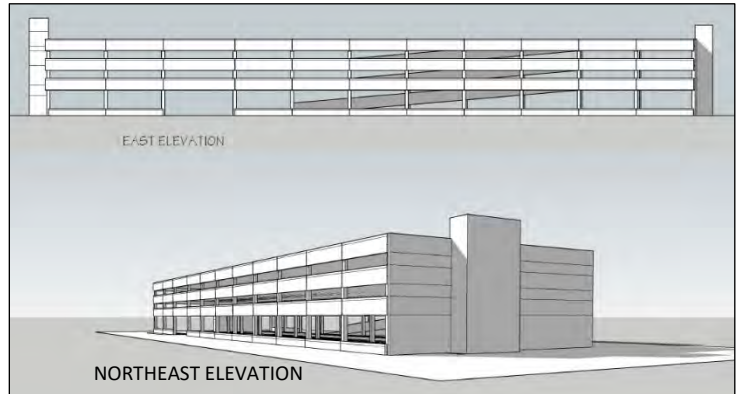
- 1) Fifty percent of the total on-site parking spaces must be in a structure ramp, or
- 2) Total on-site parking must not exceed one parking space for every 200 sq. ft. of building area, and 50 percent of the surface stall must be adequately screened from public view.

The applicant's original submittal did not include a structured ramp and far exceeded the parking ratio limit, requiring a variance. Staff did not support this variance, as there was no unique circumstance inherent to the property preventing the applicant from meeting the standard. Rather, the decision to forgo a ramp and the proposed size of the inventory parking were both within the control of the property owner.

² §300.31 Subd.4(b)(2)(i). For more discussion on the history of this standard, see the Structure Parking section of this "Supporting Information" section of this report.

³ In the 2040 Comprehensive Guide Plan, the subject site is designated for mixed-use. Mixed use would include retail.

The current proposal includes a 642-space parking ramp constructed in place of a previously proposed surface parking lot. The ramp would have a footprint nearly identical to the Metro Transit ramp located at Hopkins Crossroad and I-394; though the proposed ramp would have one additional level of level of parking. Staff acknowledges that the proposed ramp is large and would visually change the subject property and off-site views of the property. Staff also notes that the ramp specifically meets the CUP structured parking requirement, as well as all setback minimums and height restrictions.



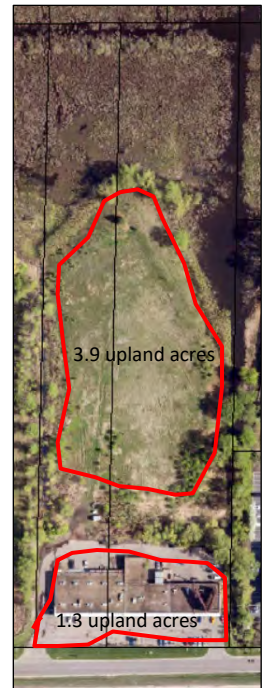
- **Is the proposed site design reasonable?**

Yes. It is staff's expectation that development and redevelopment be designed to meet ordinances standards to the greatest extent practicable. The current proposal all but eliminates the deviations requested in the original proposal.

Expansion permit. The existing retail building and associated parking lot have non-conforming setbacks from property lines and wetlands; they were constructed just prior to the adoption of the city's first zoning ordinance. An expansion permit is required for any alteration that maintains or improves upon an existing non-conformity. The current proposal requires an expansion permit to maintain the non-conforming parking lot setback from both the south property line and floodplain located between the existing pavement and Wayzata Blvd. Staff finds that maintaining the footprint of the existing paved surface is reasonable.

Variations. The proposed access drive – connecting the roughly 1.3 acres of buildable area on the southerly portion of the site to the roughly 3.9 acres of buildable area to the north – requires floodplain and wetland setback variations, as well as a wetland buffer variance. Given the configuration of the floodplain and wetland areas on the property, there is no way to access nearly 75% of the site's buildable area without these variations.

The applicant did explore the construction of a bridge in place of the proposed access drive in an attempt to eliminate the variations altogether. However, a bridge meeting the required specifications would actually result in permanent wetland impacts, whereas the proposed access drive requires only temporary impact during construction.⁴



Not an accurate survey.
For illustration purposes only.

⁴ The general bridge plans were provided to staff for review; staff concurs that the bridge would have a greater natural resource impact than the proposed access drive.

Summary Comments

The subject site is large, highly visible, and located in proximity to existing auto dealerships. Staff recognizes that these circumstances make the site attractive for redevelopment for auto dealership use. In fact, the language of the PID ordinance anticipates such use.

Staff recognizes that a new use – and in particular a four-level parking ramp – will visually change a property that has been essentially unchanged for 60 years. Walser Real Estate LLC. has worked in good faith to meet the development standards that the city has established for the site through its zoning ordinance.

Staff Recommendation

Recommend the city council adopt the following all associated with Walser Kia at 15700 and 15724 Wayzata Blvd:

1. Resolution approving preliminary and final plats, combining the properties.
2. Ordinance adopting a master development plan;
3. Resolution approving a conditional use permit;
4. Resolution approving final site and building plans, with expansion permits and variances, and floodplain alteration permit.

Supporting Information

Subject Property	The subject property is zoned PID and has a mixed-use land use designation in the Comprehensive Guide Plan.
Surrounding Properties	North: Single-household dwellings; zoned R-1 South: Wayzata Blvd and I-394 beyond East: Office building; zoned PID West: BMW dealership building; zoned PID
Requirements	<p>The proposal requires the following:</p> <ul style="list-style-type: none">• Preliminary and final plats. The development site includes two separate parcels; a property line bisects the existing retail center. Platting the property would result in the combination of these parcels.• Master development plan. A master development plan is required for the redevelopment of any property within the PID zoning district.• Conditional use permit. A conditional use permit (CUP) is required for automobile-related uses that have service bays.• Site and building plan review, with variances and expansion permits. Site and building plan review is required for the construction of any new commercial building. The submitted site plan includes wetland and floodplain setback variance, and a wetland buffer variance, for the access drive. An expansion permit to maintain the existing, non-conforming setback for the customer parking lot is also required.• Floodplain Alteration. The proposal includes the fill and recreation of floodplain areas, as well as a temporary construction impact on wetland areas.
Existing Conditions	The roughly 11.4-acre site is located on the north side of Wayzata Blvd, directly east of the Minnetonka BMW dealership. A 26,000 sq. ft. retail center, originally built in 1965, is located in the southerly portion of the site. The area north of the building contains large amounts of wetland and a 100-year floodplain, as well as an upland area unencumbered by these natural features. Roughly 44 percent of the combined site is considered upland, and 56 percent is considered unbuildable.
Proposed Building	As proposed, an approximately 32,085-square-foot dealership/service building would be constructed in the same general location as the existing retail center. The building would include a sales floor, service shop, customer lounge, staff offices, meeting spaces, locker rooms,

and lounge. The building façade would be comprised of a significant amount of glass, as well as metal and precast concrete panels in gray and black hues.

Proposed Parking

The submitted plans include two parking areas. An area surrounding the proposed building would be used solely for customer parking. This parking area would be connected, via a 22-foot wide drive aisle, to a four-level parking ramp. New inventory vehicles, used vehicles, service vehicles, and staff parking would occupy this ramp.

Parking Area	Number of Stalls
Customer Lot, surface parking	65
Ramp	642
TOTAL	707

The proposed parking ramp would have a footprint nearly identical to Metro Transit ramp located at Hopkins Crossroad and I-394; though the proposed ramp would have one additional level of level of parking. Directly to the east of this public ramp, a private three-level ramp was built in 2008 in conjunction with a three-story office building. Given that this private ramp would be just 60 feet from adjacent residential properties and 120 feet from the closest home, staff required:

- A minimum four-foot wall height on each parking level. This height was established as it was above the height of the headlights of the “tallest” passenger vehicle then produced (a Chevy Suburban). Staff has included this same four-foot wall height as a condition of Walser Kia’s approval.
- Light poles were not allowed to be placed in the southerly row of parking, closest to the residences. In the case of Walser Kia, staff has included a condition that the lighting on the top level of the ramp be pedestrian in scale and no more than 12 feet in height. This would provide for the safety for vehicles (and staff) without unnecessary light spillage.

Structured Parking

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

In 2008, the city was approached by BMW about the construction of a new auto dealership adjacent to an existing Nissan dealership and in close proximity to exiting Lexus and Chevrolet sites. At that time, the council was amendable to changing the ordinance to allow for dealerships on certain parcels within the I-394 corridor. However, councilmembers expressed concern about more and greater-sized

parking lots dominating Minnetonka’s I-394 viewshed. Planning staff and the city attorney engage in conversations with dealerships – and their attorneys – about ways to accommodate the needs of auto sellers and the aesthetic desires of the council. The result of these discussions was an amendment to the PID ordinance to allow for motor vehicle sales, storage, and exterior display on certain properties, so long as certain conditions were met. One of those conditions – which was developed in conversation and consultation with dealerships – requires that at least 50 percent of all parking stalls be located within a structure parking ramp or that a 1 per 200 parking ratio and screening be met.

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

Setbacks

The chart below outlines required and proposed setbacks. Required expansion permits are highlighted in blue, and required variances are noted in red.

		Required	Proposed*
Dealership/Service Building			
Property Line Setback	North	N/A	N/A
	South	50 ft	70 ft
	East	50 ft	50 ft
	West	50 ft	75 ft
Wetland Setback and Buffer	North	35 ft setback, 16.5 ft buffer	35 ft, 16.5 ft buffer
	South	N/A	N/A
	East	35 ft setback, 16.5 ft buffer	40 ft, 16.5 ft buffer
	West	35 ft setback, 16.5 ft buffer	70 ft, 16.5 ft buffer
Floodplain Setback	North	20 ft	25 ft
	South	20 ft	70 ft
	East	20 ft	35 ft
	West	20 ft	65 ft
Customer Lot and Drive Aisles			
Property Line Setback	North	N/A	N/A
	South	20 ft	3 ft
	East	15 ft	15 ft
	West		25 ft
Wetland Setback and Buffer	North	20 ft setback, 16.5 ft buffer	20 ft setback, 16.5 ft buffer
	South	N/A	N/A
	East	20 ft setback, 16.5 ft buffer	20 ft setback, 16.5 ft buffer
	West	20 ft setback, 16.5 ft buffer	20 ft setback, 16.5 ft buffer
Floodplain Setback	North	10 ft	10 ft
	South	10 ft	3 ft
	East	10 ft	16 ft

	West	10 ft	10 ft
Access Drive			
Wetland Setback and Buffer	East	20 ft setback, 16.5 ft buffer	1 ft setback and buffer
	West	20 ft setback, 16.5 ft buffer	1 ft setback and buffer
Floodplain Setback	East	10 ft	1 ft
	North	10 ft	1 ft
Parking Ramp			
Property Line	North	60 ft	270 ft
	South	N/A	N/A
	East	60 ft	170 ft
	West	60 ft	65 ft
Wetland Setback	North	35 ft setback, 16.5 ft buffer	40 ft (NW corner)
	South	35 ft setback, 16.5 ft buffer	55 ft (SE corner)
	East	35 ft setback, 16.5 ft buffer	55 ft (SE corner)
	West	35 ft setback, 16.5 ft buffer	40 ft (NW corner)
Floodplain Setback	North	20 ft	25 ft (NW corner)
	South	20 ft	60 ft (SW corner)
	East	20 ft	30 ft (NE corner), 25 ft from stormwater basin
	West	20 ft	25 ft (NW corner)

*All proposed setbacks rounded down to closest 5 feet.

Traffic

A traffic study was not conducted for this proposal. Based on trip generation data from the Institute of Transportation Engineers, a dealership building of the proposed size is anticipated to generate 120 vehicle trips during the p.m. peak period. The BMW dealership was anticipated to generate 92 p.m. peak hour trips. These combined 192 p.m. trips are well under the 783 p.m. peak hour trips the parcels are limited to under the PID ordinance.

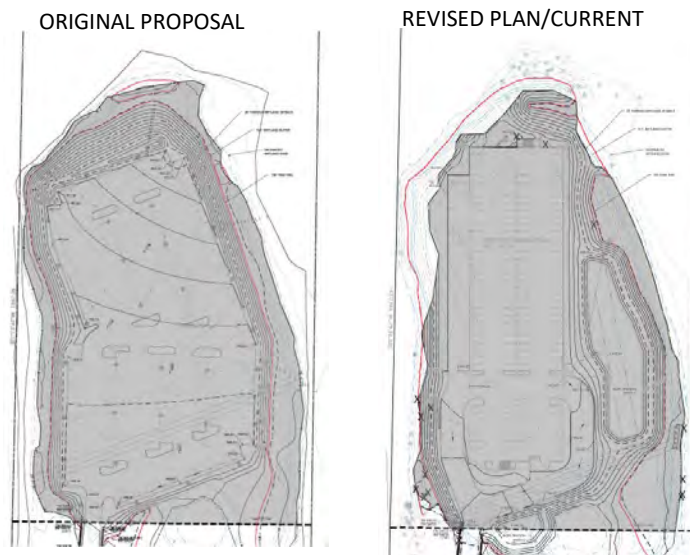
Grading

The highest point of the site is a knoll located on the currently undeveloped upland portion of the property. Grade falls 15 feet in all directions from this knoll.

To accommodate the proposed redevelopment, areas of fill and excavation would be necessary. In general, the area around the proposed building and within the access drive to the proposed ramp would be raised one to four feet; this would include fill of a 100-year floodplain. Fill and excavation of up to five feet would occur in the area of the proposed ramp; the excavation is required not only for the proper functioning of the ramp, but also for the construction of the stormwater basin and compensation/re-creation of a 100-year floodplain.

The proposed grading would encroach into the existing knoll area. However, the area of grading has been reduced from the original

plans, which is particularly evident in the areas north and west of the proposed inventory/service/staff parking.



Tree Removal

The property contains 70 trees protected by ordinance; the trees are predominately cottonwood and willow. Redevelopment of the site would be subject to the tree protection ordinance. Under the ordinance, up to 35 percent of the site's high-priority trees and 50 percent of the significant trees could be removed to accommodate redevelopment.⁵ The proposal would meet the ordinance.

Trees	Number Existing	Allowable Removal	Proposed Removal
High Priority	42	14 (35%)	11 (33%)
Significant	28	14 (50%)	6 (21%)

Of note, 23 cottonwoods and willows ranging in size from 16 inch dsh to 24 inch dsh would be preserved north of the proposed ramp.

**Floodplain Alteration
 Wetland Impact**

Much of the developed portions of the site are located within 100-year floodplain areas. Floodplain fill would likely be needed to construct any building in the same general location as the existing building and to access the northerly upland area. As proposed, through fill and mitigation, floodplain storage on the site would increase by 1.0%. A unique component of the proposed floodplain mitigation plan is four large pipes spanning the area of the proposed parking ramp. They would allow for flood storage when necessary, but would also serve as a wildlife crossing.

⁵ By City Code 314.01 Subd.5(g), removal means “the physical removal of a tree or: (1) girdling; (2) injury to 30 percent or more of the trunk circumference; (3) pruning of 30% or more of the crown; (4) trimming an oak between April 1st and July 15th; or (5) compacting, cutting, filling, or paving 30 percent of the critical root zone for all tree species.”

Temporary wetland impacts would occur during the construction of the access drive.

Stormwater Management

As proposed, stormwater runoff would be directed overland and via pipe to one of four biofiltration basins/rain gardens. Roof runoff from the dealership/service building would be captured for reuse in the proposed car wash. The plans have been reviewed by engineering staff and found to be generally acceptable. If the proposal is approved, a final stormwater plan would be submitted as part of a building permit application.

Landscaping

The submitted landscape plans include a variety of trees planted on all sides of the proposed ramp, including eight-foot conifers. Smaller shrubbery, annuals, perennials, and grasses would be planted in parking lot islands and around the proposed building.

There are several sections of the PID ordinance that require non-single household development to be screened or buffered from nearby single-household properties. Buffering may be accomplished through the preservation of existing slopes and trees or when these natural buffers are absent, through the creation of new berms and landscaping. The ordinance does not require new development not be visible from existing; rather a buffer is defined by ordinance as “the use of land, topography, open space or landscaping to separate a use of property from another adjacent or nearby use.”

In the opinion of staff, the proposed planting and vertical separation of over 700 feet would provide a buffer.

CUP Standards

The proposed auto dealership would meet the general conditional use permit standards outlined in City Code §300 Subd.4(b)2:

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

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

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

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

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

Finding: Variances are required for floodplain setbacks, and wetland setbacks and buffers. These variances meet the variance

standard as outlined in State Statute and City Code. See the "Variance Standard" section below.

The proposed auto dealership would meet the specific conditional use permit standards outlined in City Code §300 Subd.4(b)2(i) for "service stations and other automobile related uses having service bays on property designated for retail use."

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

Finding: This is not the intent of the applicant, but has been included as a condition of approval.

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

Finding: This has been included as a condition of approval.

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

Finding: This has been included as a condition of approval.

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

Finding: No customer gas pumps are proposed. Nevertheless, this has been included as a condition of approval.

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

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

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

- b) All inventory and display vehicles located outside of a building or structure must be at finish grade level. No

jack stands, risers, or other mechanisms may be used to elevate any vehicle for display purposes;

Finding: This has been included as a condition of approval.

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

Finding: This has been included as a condition of approval.

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

Finding: This has been included as a condition of approval.

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

Finding: The surface parking lot is intended for customer parking only. Inventory vehicles would be located in the proposed parking ramp. Nevertheless, this has been included as a condition of approval.

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

Finding. As proposed, the site would be 40 percent hard surface and would have a floor area ratio of 0.5.

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

Finding. The proposed dealership building has been thoughtfully and attractively designed. The overall design and variety of exterior materials would reflect a high level of investment. The exterior materials of the proposed ramp are intended to complement the dealership building. The applicant has indicated they are open to any color/tone for the proposed ramp. As a condition of approval, the applicant must submit a materials board for staff review and approval prior to issuance a building permit.

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

Finding. It is the staff's opinion that this standard is met. All of the vehicles north of the dealership building would be enclosed by a minimum four-foot high wall on each level of the parking ramp; the north side of the ramp would be entirely enclosed. The landscape plan includes the planting of 121 trees, 150 shrubs and many perennials and grasses. The ramp would be further separated from the closest residential building by over 700 feet.

- i) Parking lot and site security lighting must comply with section 300.31(7)(c) and in addition, the following requirements:
 - 1) Maximum of 450 watts per fixture.
 - 2) Maximum height of light standards is 30 feet in outdoor display areas as defined in 300.31 Subd. (4)(a)(3)(b) and 25 feet in all other outdoor areas.
 - 3) Maximum of 1 watt per square foot surface parking area.
 - 4) The lighting plan shall be designed to have 0.0 foot-candles at residential property lines with the understanding that ambient light from other sources may spill on the property and influence actual on-site measurements.

Finding: These standards have been included as a condition of approval. Staff has included conditions that the lighting on the top level of the ramp be pedestrian in scale and no more than 12-feet in height.

- j) Parking requirements must comply with one of the following:
 - 1) fifty percent of the total on-site parking spaces must be in a structured parking ramp, or
 - 2) if the city deems it appropriate, surface parking without a ramp under the following conditions:

- (a) total on-site parking must not exceed one parking space for every 200 square feet of building area, and
- (b) submittal of a plan that adequately screens 50% of the total parking spaces from public view.

Finding: The standard is met. Ninety-one percent of the total on-site stalls would be located in the proposed ramp.

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

Finding: The north side of the proposed parking structure would be fully enclosed. As a further condition of approval, the wall height on each parking level must be a minimum of four feet in height.

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

Finding: This has been included as a condition of approval.

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

Finding: The site has been designed to allow for off-street pickups and drop-offs. Nevertheless, this has been included as a condition of approval.

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

Finding: The site has been designed to allow for loading and unloading of vehicles. Nevertheless, this has been included as a condition of approval.

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

Finding: This has been included as a condition of approval.

- p) No loudspeaker paging system may be used;

Finding: This has been included as a condition of approval.

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

Finding: This has been included as a condition of approval.

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

Finding: This has been included as a condition of approval.

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

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

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

Finding: The site has been designed to meet this standard. Nevertheless, this has been included as a condition of approval.

- 6. Must not be located within 100 feet of any low-density residential parcel or adjacent to medium or high-density residential parcels. The city may reduce separation requirements if the following are provided:

- a) landscaping and berming to shield the auto service use;
- b) parking lots not located in proximity to residential uses; and
- c) lighting plans which are unobtrusive to surrounding residential uses;

Finding: The subject site abuts low-density residential properties to the north. However, the ramp lot would be located 400 feet from the shared property line and nearly 1,000 feet from the closest home. In addition, landscaping has been proposed and lighting standards have been included as conditions of approval.

SBP Standards

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

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

Finding: The proposal has been reviewed by the city planning, engineering, and natural resources staff. The stormwater management system is consistent with the water resources management plan. If the proposal is approved, final plans would be submitted in conjunction with a building permit application.

2. Consistency with this ordinance;

Finding: The proposed access drive requires floodplain and wetland setback and wetland buffers variances. These variance standards are outlined below.

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

Finding: The amount of grading and resultant tree removal proposed has been minimized to just that necessary to accommodate the proposed building, ramp, and required infrastructure. All of these improvements would occur within either the already developed southerly portion of the site or the relatively "open" buildable area to the north. The site work would be similar to other commercial properties in the immediate area. Certainly, the amount of grading would be reduced if the proposed parking ramp were smaller. However, the ramp as proposed meets all setback requirements and height restrictions.

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

Finding: The proposed improvements would occur within either the already developed southerly portion of the site or the relatively "open" buildable area to the north. The site work would be similar to other commercial properties in the immediate area.



Not an accurate survey.
For illustration purposes only.

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

Finding: The proposed dealership building has been thoughtfully and attractively designed. Consistent with the PID ordinance, the overall design and variety of exterior materials would reflect a high level of investment. The applicant has indicated they are open to any color/toner for the proposed ramp. As a condition of approval, the applicant must submit a materials board for staff review and approval prior to the issuance of a building permit.

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

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

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

Finding: The proposal has incorporated comments related to landscape buffering of residential areas to the north.

Staff recognizes that a new use – and in particular a four-level parking ramp – will visually change a property that has been essentially unchanged for 60 years. However, Walser Real Estate

LLC. has worked in good faith to meet the development standards that the city has established for the site through its zoning ordinance, making reasonable provisions for surface water drainage, sound and sight buffers, preservation of views, and light and air.

Expansion Permit Standard

The requested expansion permit would meet the expansion permit standard as outlined in City Code §300.29 Subd.7.

- ✓ Reasonableness. Given that, under state law, the existing parking lot and building could be entirely removed and a new parking lot and building of the same size and configuration constructed, an expansion permit is reasonable.
- ✓ Unique Circumstance and Character of Locality. The existing parking lot has non-conforming setback from the south property line and adjacent floodplain area; it was constructed just prior to the adoption of the city's first zoning ordinance. Unlike other properties along Wayzata Blvd, there has been no substantive change to the lot location over the last 50+ years. The expansion permit is reasonable and would not negatively impact neighborhood character, as it would simply allow for the continuation of this setback.

Variance Standard

The requested floodplain and wetland setback variances, and the wetland buffer variance, meet the variance standard as outlined in City Code §300.07 Subd.1(a).

- Comprehensive Plan. The variances would facilitate a commercial redevelopment of a site guided mixed-use in the comprehensive plan.
- Intent of the Ordinance. The intent of floodplain and wetland setback and wetland buffer requirements is to provide adequate separation from floodplain and wetland areas for both resource protection and aesthetic reasons. Though the setbacks and buffer would be minimal, they are the largest realistically possible.
- Practical Difficulties. The floodplain and wetland setback variances, and the wetland buffer variance, are based on practical difficulties:
 - ✓ Reasonableness and Unique Circumstance. The requested variance are reasonable, as 75% of the subject site's buildable areas is inaccessible without the setback and buffer variances. This is a unique circumstance not common to other similarly zoned properties.
 - ✓ Character of Locality. Redevelopment of the site will visually change a property that has been essentially unchanged for 60

years. The variances, which are within a 130-foot linear span of a 1,270-foot deep property, would not.

Neighborhood Comments

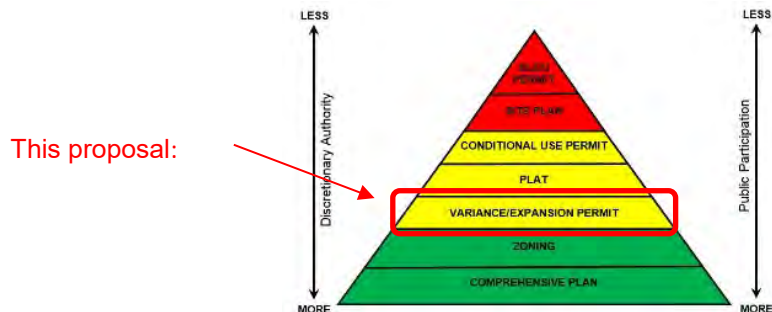
The city sent notices to 108 area property owners and has received no written comments regarding the revised plans to date.

Commission Action

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

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

The applicant has waived the statutory deadline.



LOCATION MAP

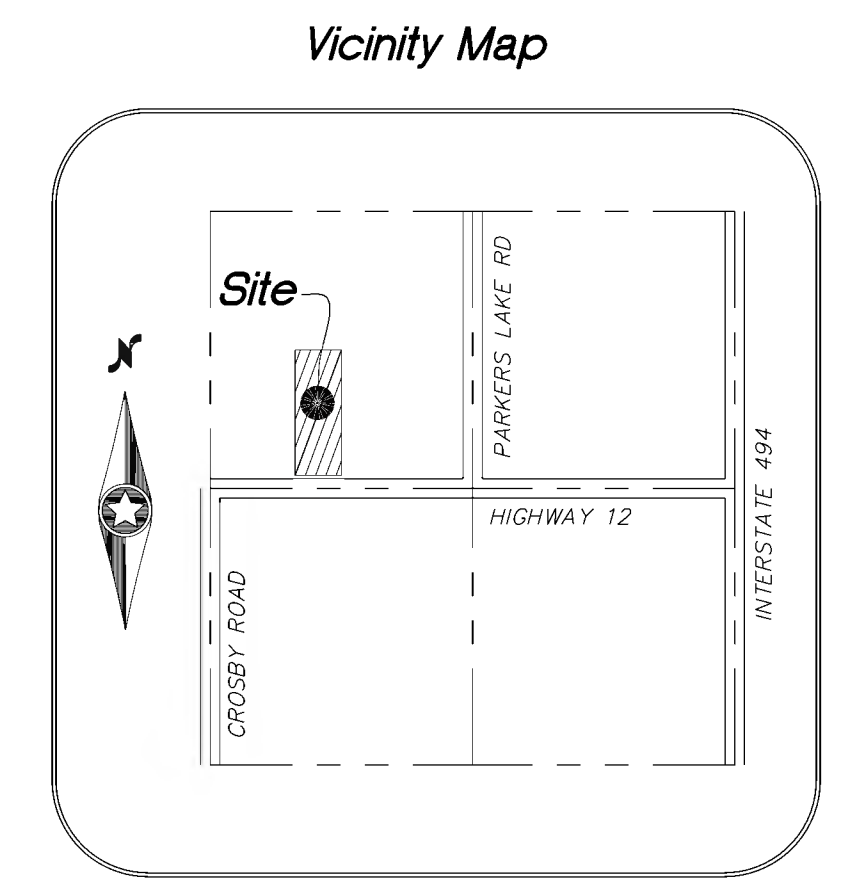
Project: Walsler Kia

Location: 15700/15724 Wayzata Blvd



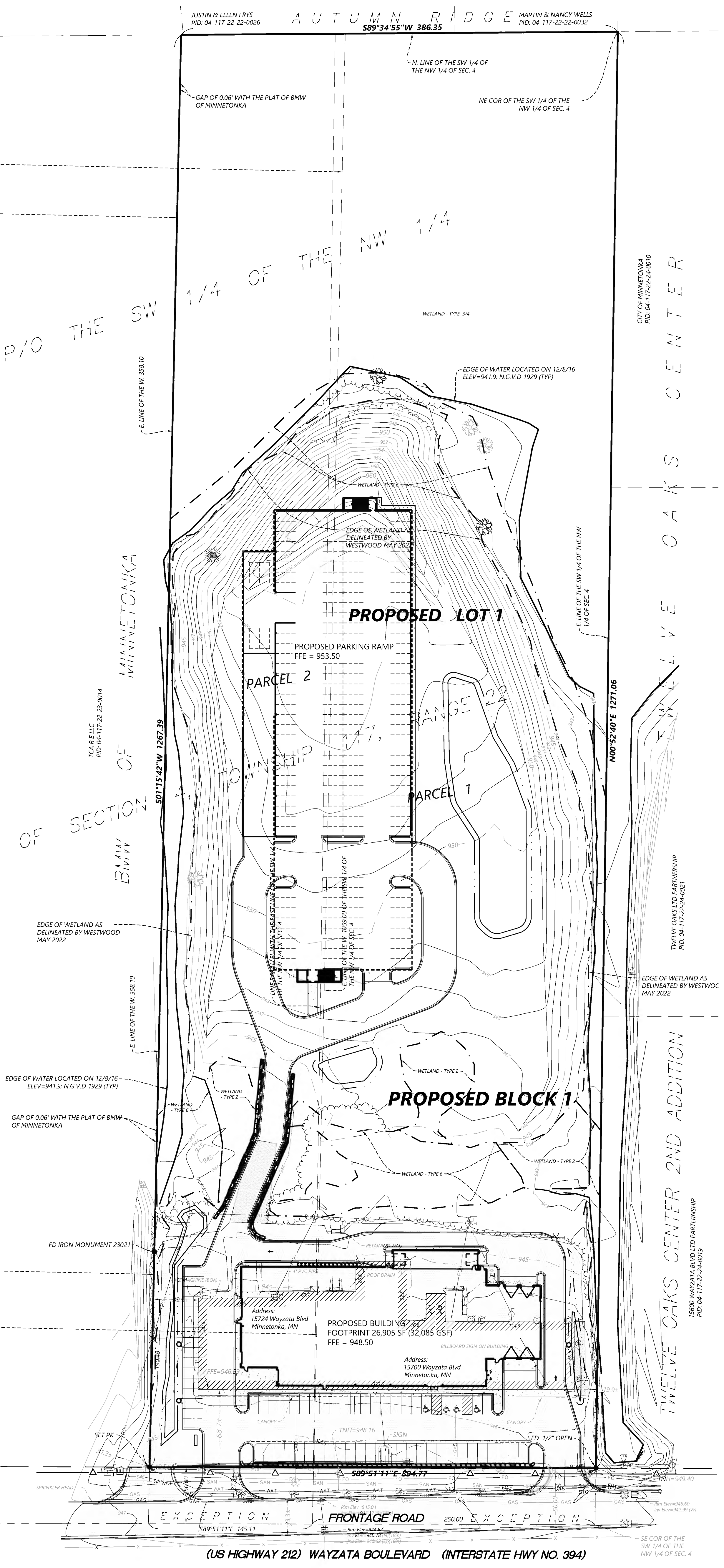
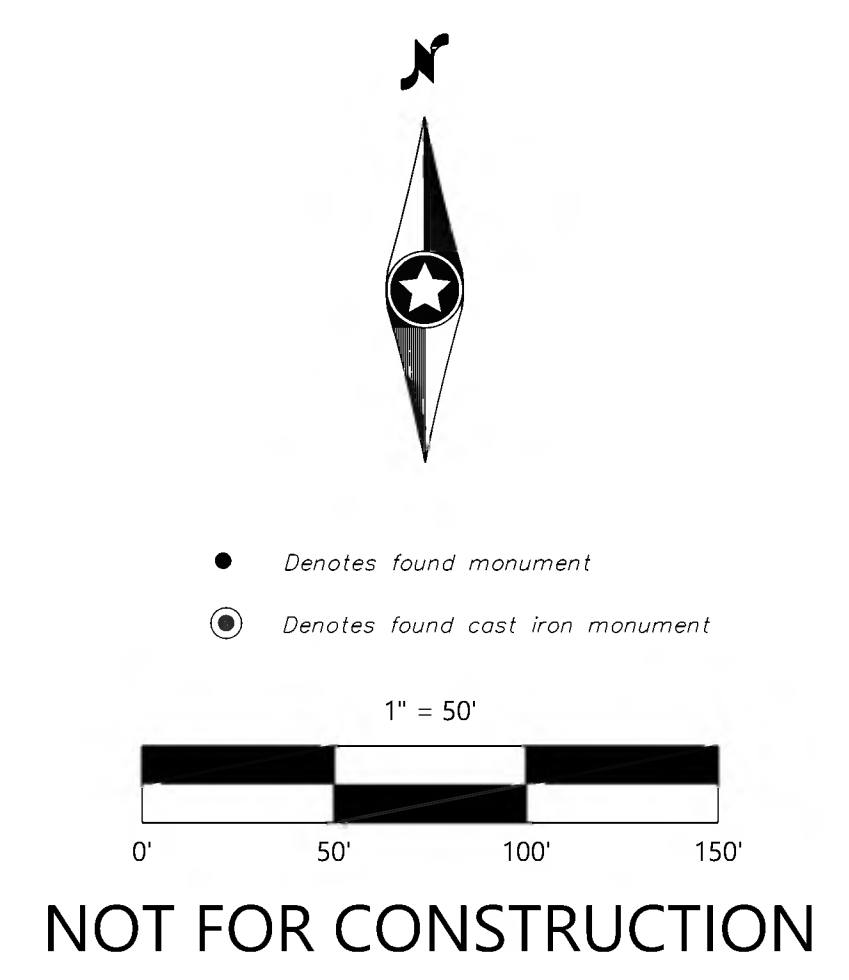
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Call 8 Hours before digging:
811 or call811.com
Common Ground Alliance



LEGEND - EXISTING CONDITIONS

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



LEGAL DESCRIPTION (Commitment No. CP70464)

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

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

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

GENERAL NOTES

- This survey was prepared using Commercial Partners Title, LLC as agent for Stewart Title Guaranty Company, Title Commitment Number 52281 having an effective date of November 28, 2016 at 7:00 am.
- Subject property appears to be classified as Zone X when scaled from Flood Insurance Rate Map Community - Parcel Number 27053C0326P dated November 4, 2016.
- Subject property contains 495,675 Sq. Ft. or 11.379 acres.
- Vertical Datum is at 1929NGVD in US Survey Feet, used the City of Minnetonka Benchmarks.
- No Zoning information provided by the title company.
- The underground utilities shown have been located from field survey information and existing drawings. The surveyor makes no guarantee that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated although he does certify that they are located as accurately as possible from information available. The surveyor has not physically located the underground utilities. (State One Call Ticket No. 221360992).
- This survey is based on Hennepin County coordinate system in US Survey Feet.

AREA TABULATION

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

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

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

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

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

INITIAL ISSUE: 03/06/2023
SUBMITTAL: CITY RESUBMITTAL

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

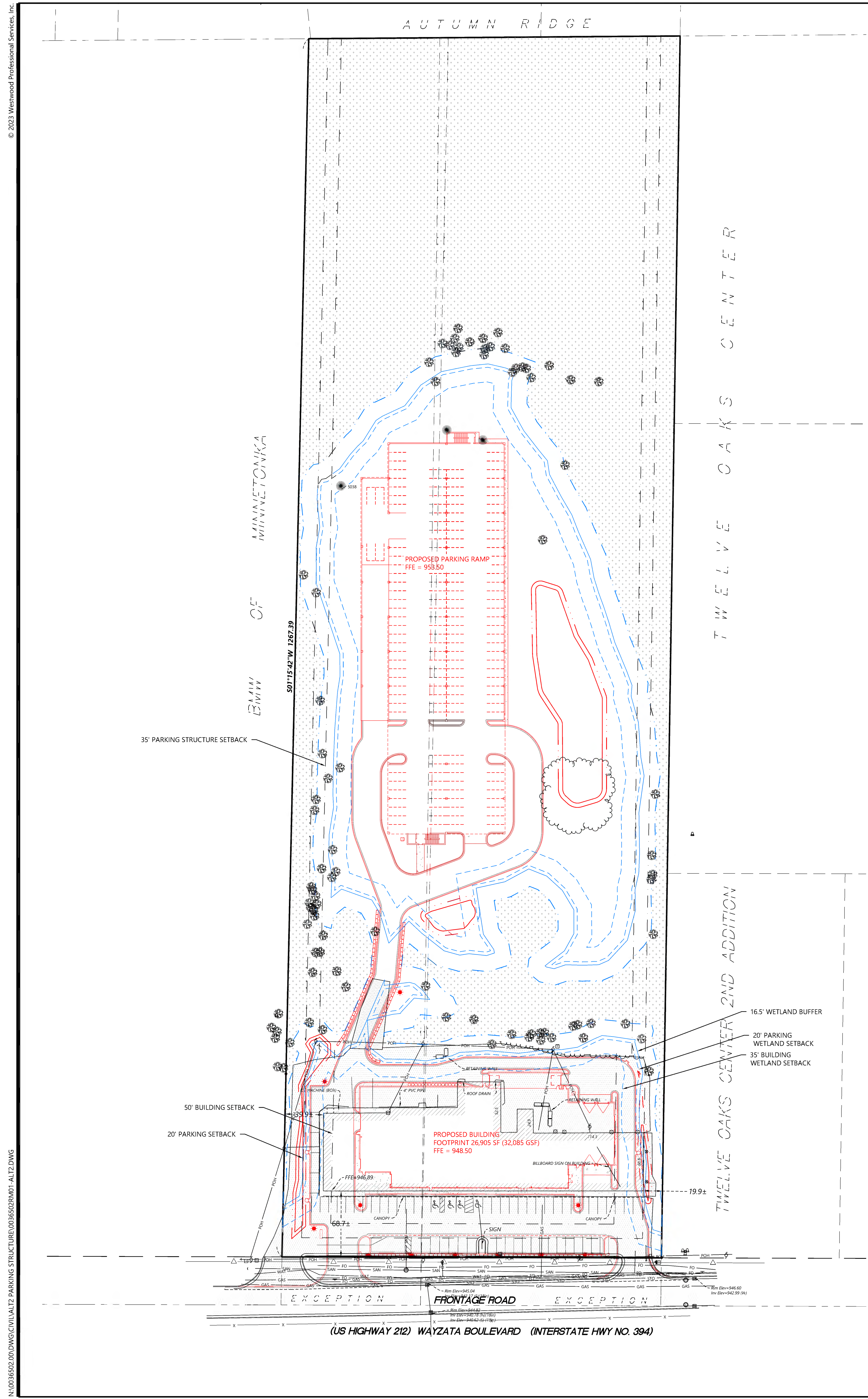
DATE: _____ LICENSE NO: _____

Westwood
12701 Whitewater Drive, Suite 300
Minnetonka, MN 55343
Phone: 952-937-5150
Fax: 952-937-5150
www.westwoodprofservices.com
Westwood Professional Services, Inc.

PRELIMINARY PLAT

SHEET NUMBER:
C002

DATE: 08/01/2023
PROJECT NUMBER: 0036502.00



LEGEND

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

DESIGNED: _____
 CHECKED: _____
 DRAWN: _____
 HORIZONTAL SCALE: _____
 VERTICAL SCALE: _____

INITIAL ISSUE: 03/06/2023
 REVISIONS: _____ CITY RESUBMITTAL

PREPARED FOR:
WALSER REAL ESTATE, LLC
 7700 FRANCE AVENUE SOUTH, SUITE 41N
 EDINA, MN 55435

DATE: _____ LICENSE NO. _____

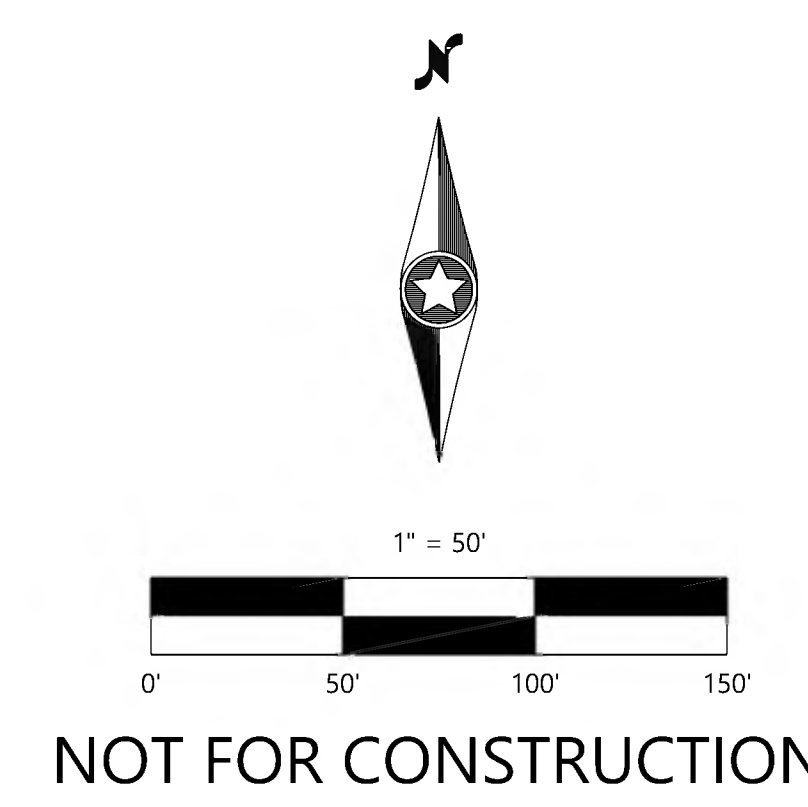
Westwood
 12701 Whittaker Drive, Suite #300
 Minneapolis, MN 55423
 Phone: (612) 837-2155
 Fax: (612) 837-2222
 www.westwoodps.com
 Westwood Professional Services, Inc.

WALSER KIA MINNETONKA
 MINNETONKA, MN

EXISTING CONDITIONS WITH PROPOSED SITE OVERLAY

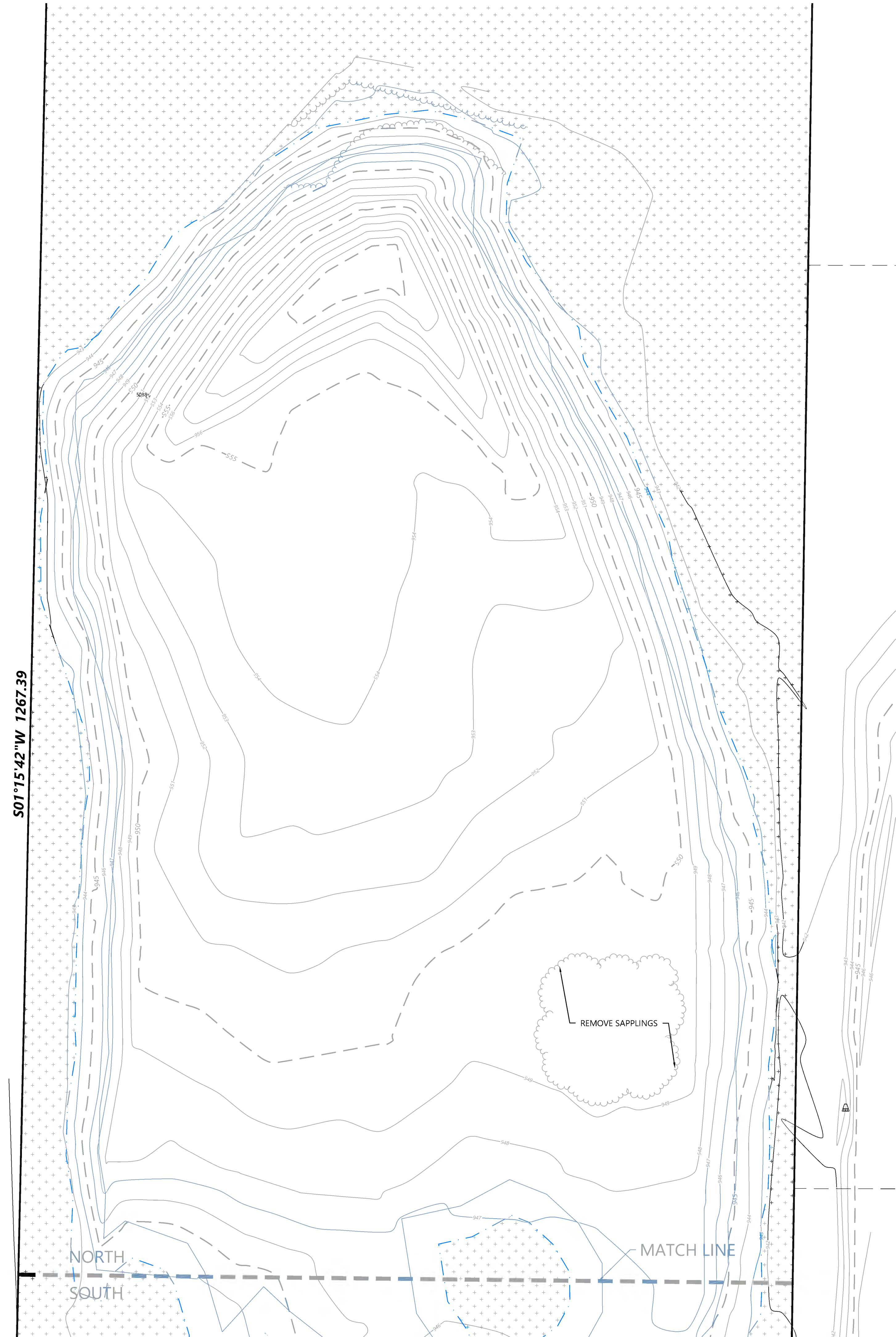
SHEET NUMBER:
C100

DATE: 08/01/2023
 PROJECT NUMBER: 0036502.00



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S01°15'42"W 1267.39

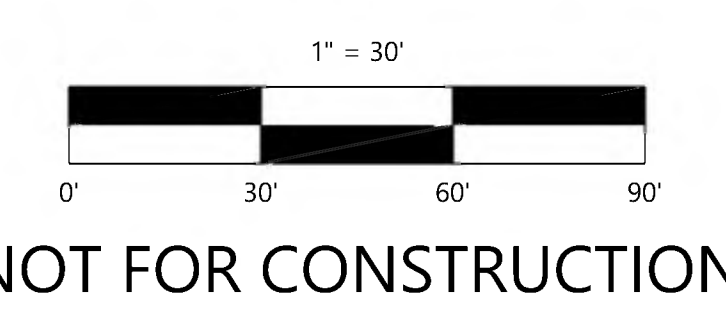
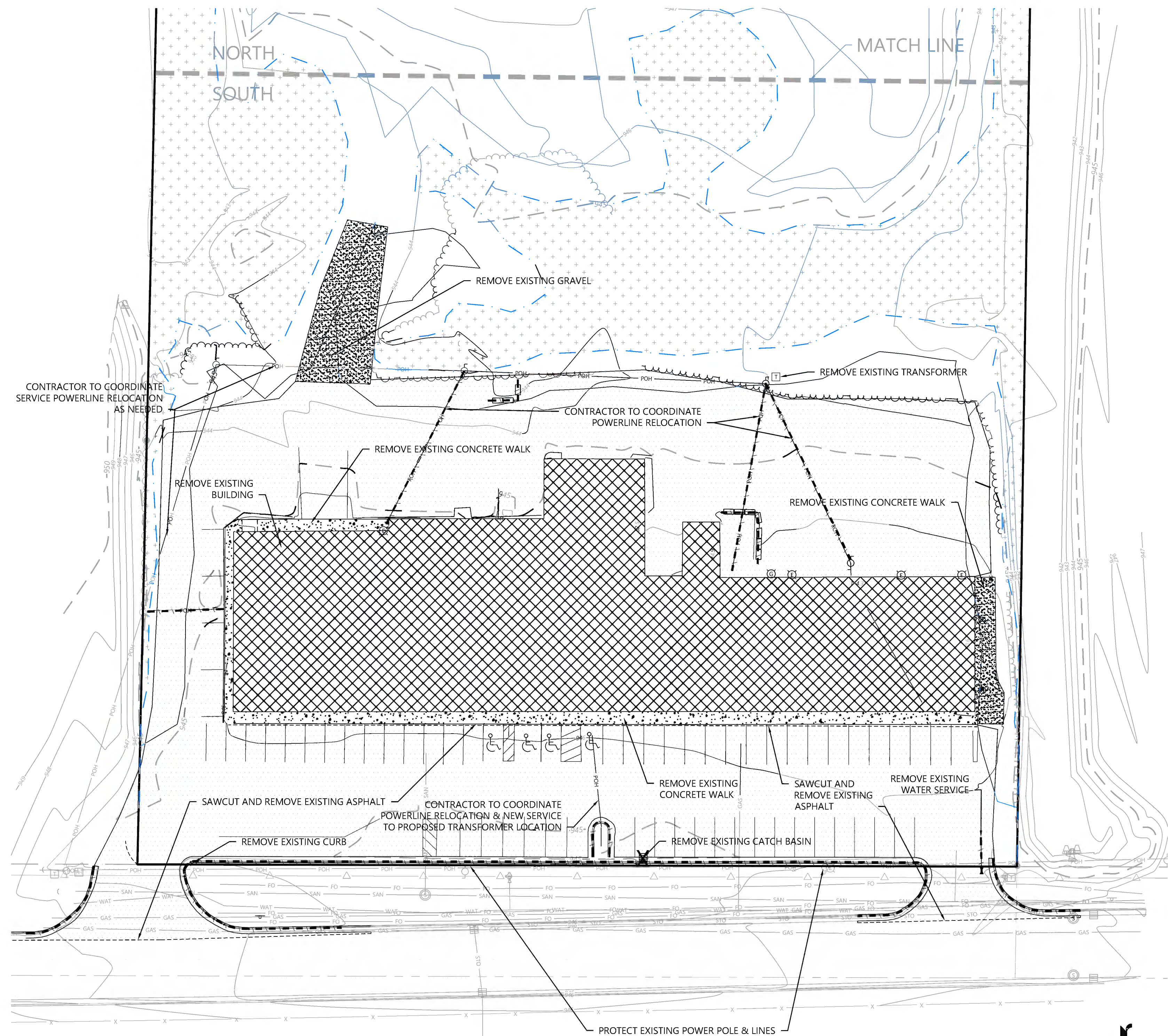


REMOVAL NOTES

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

REMOVAL LEGEND

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



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

DESIGNED:
CHECKED:
DRAWN:
HORIZONTAL SCALE: 3/8"=1'
VERTICAL SCALE: 1/8"=1'

INITIAL ISSUE: 03/06/2023
REVISIONS: 08/01/2023 CITY RESUBMITTAL

PREPARED FOR:
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7700 FRANCE AVENUE SOUTH, SUITE 41N
EDINA, MN 55435

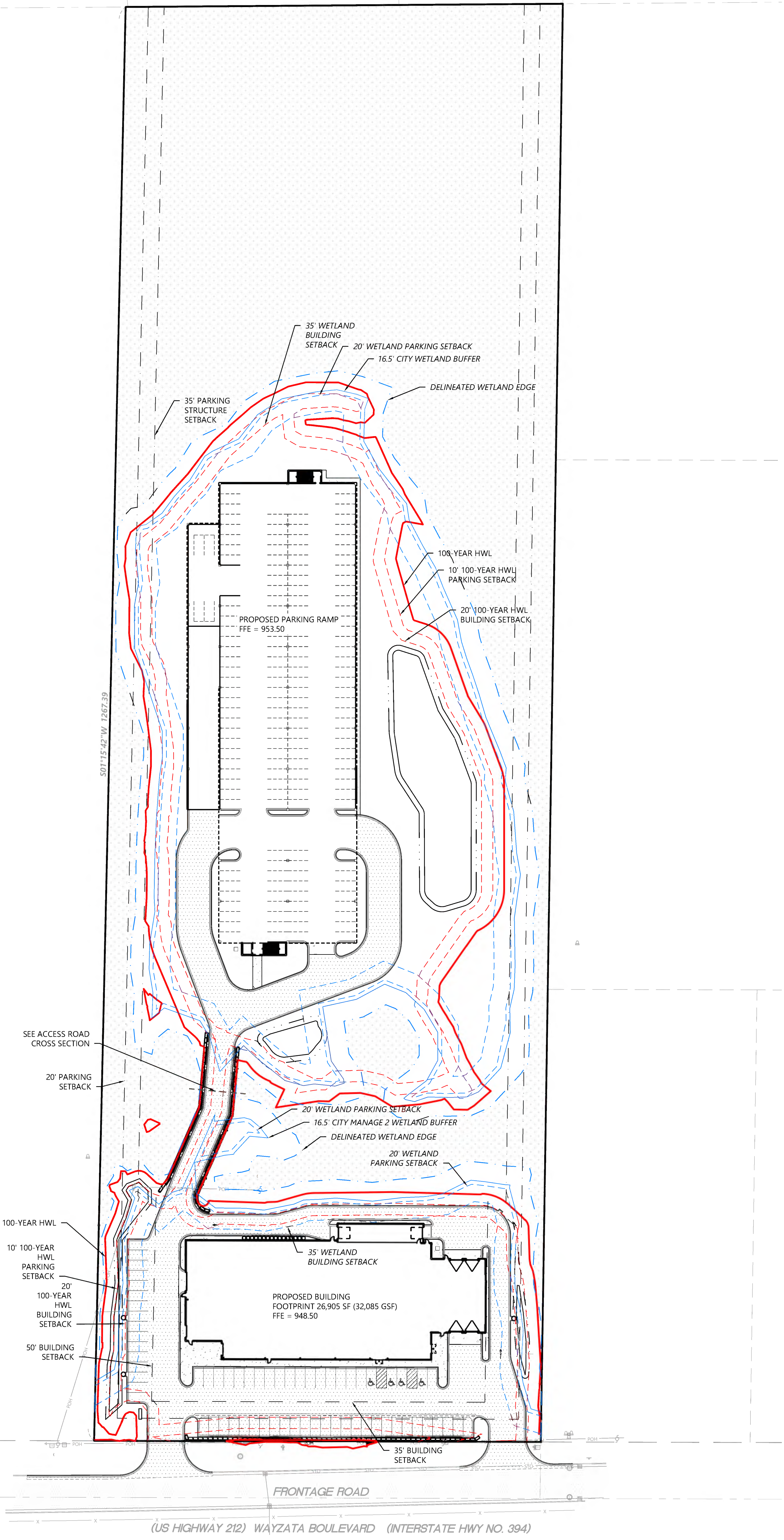
I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA
DATE: _____ LICENSE NO. _____

Westwood
Professional Services, Inc.
12700 Whittaker Drive, Suite #200
Minnetonka, MN 55343
Phone: (952) 837-2150
Fax: (952) 837-2522
www.westwoodpro.com

REMOVALS PLAN

SHEET NUMBER:
C101

DATE: 08/01/2023
PROJECT NUMBER: 0036502.00



SITE LEGEND

EXISTING	PROPOSED	
		PROPERTY LINE
		LOT LINE
		SETBACK LINE
		EASEMENT LINE
		CURB AND GUTTER
		TIP-OUT CURB AND GUTTER
		BASIN TREATMENT WATER LEVEL
		RETAINING WALL
		FENCE
		CONCRETE SIDEWALK
		CONCRETE PAVEMENT
		NORMAL DUTY BITUMINOUS PAVEMENT
		NUMBER OF PARKING STALLS
		TRANSFORMER
		SITE LIGHTING
		TRAFFIC SIGN
		POWER POLE
		BOLLARD / POST

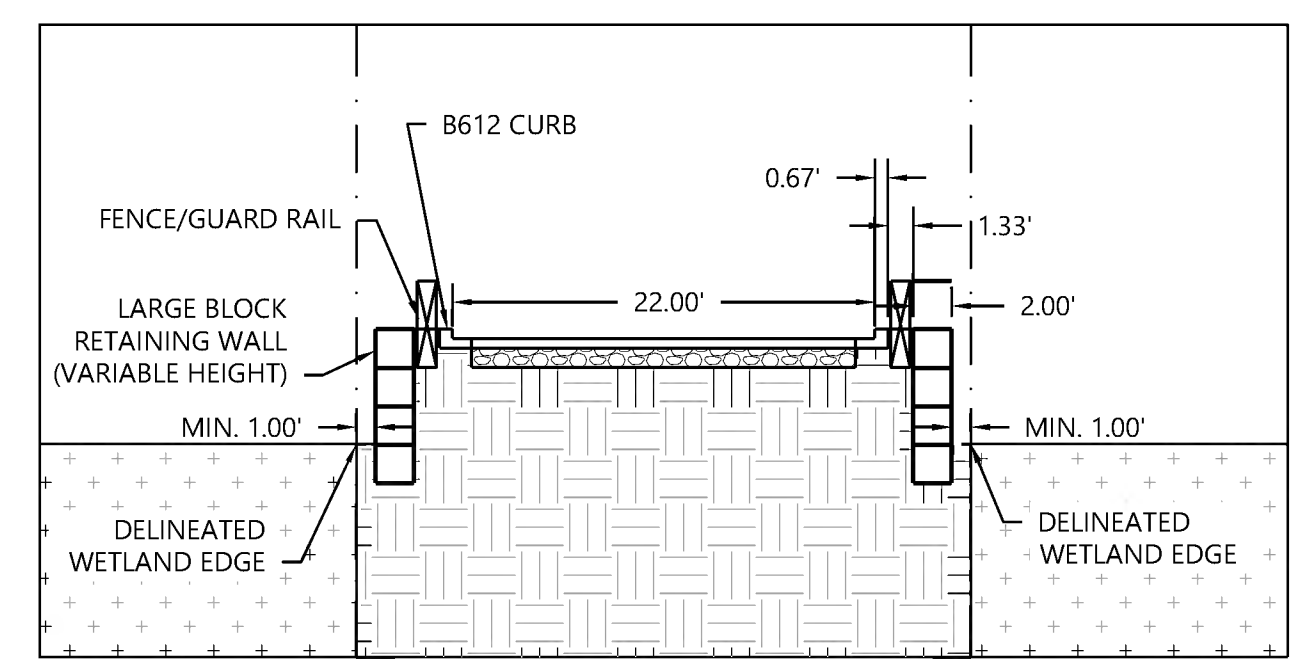
GENERAL SITE NOTES

- BACKGROUND INFORMATION FOR THIS PROJECT PROVIDED BY WESTWOOD PROFESSIONAL SERVICES, MINNETONKA, MN, MAY 24, 2022.
- LOCATIONS AND ELEVATIONS OF EXISTING TOPOGRAPHY AND UTILITIES AS SHOWN ON THIS PLAN ARE APPROXIMATE. CONTRACTOR SHALL FIELD VERIFY SITE CONDITIONS AND UTILITY LOCATIONS PRIOR TO EXCAVATION/CONSTRUCTION. IF ANY DISCREPANCIES ARE FOUND, THE ENGINEER SHOULD BE NOTIFIED IMMEDIATELY.
- REFER TO BOUNDARY SURVEY FOR LOT BEARINGS, DIMENSIONS AND AREAS.
- ALL DIMENSIONS ARE TO FACE OF CURB OR EXTERIOR FACE OF BUILDING UNLESS OTHERWISE NOTED.
- REFER TO ARCHITECTURAL PLANS FOR EXACT BUILDING DIMENSIONS AND LOCATIONS OF EXITS, RAMPS, AND TRUCK DOCKS.
- ALL CURB RADI ARE SHALL BE 3.0 FEET (TO FACE OF CURB) UNLESS OTHERWISE NOTED.
- ALL CURB AND GUTTER SHALL BE B612 UNLESS OTHERWISE NOTED.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING AND MAINTAINING TRAFFIC CONTROL DEVICES SUCH AS BARRICADES, WARNING SIGNS, DIRECTIONAL SIGNS, FLAGGERS AND LIGHTS TO CONTROL THE MOVEMENT OF TRAFFIC WHERE NECESSARY. PLACEMENT OF THESE DEVICES SHALL BE APPROVED BY THE CITY AND ENGINEER PRIOR TO PLACEMENT. TRAFFIC CONTROL DEVICES SHALL CONFORM TO APPROPRIATE MNDOT STANDARDS.
- BITUMINOUS PAVEMENT AND CONCRETE SECTIONS TO BE IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE GEOTECHNICAL ENGINEER.
- CONTRACTOR SHALL MAINTAIN FULL ACCESS TO ADJACENT PROPERTIES DURING CONSTRUCTION AND TAKE ALL PRECAUTIONS NECESSARY TO AVOID PROPERTY DAMAGE TO ADJACENT PROPERTIES.
- SITE LIGHTING SHOWN ON PLAN IS FOR REFERENCE ONLY. REFER TO LIGHTING PLAN PREPARED BY OTHERS FOR SITE LIGHTING DETAILS AND PHOTOMETRICS.

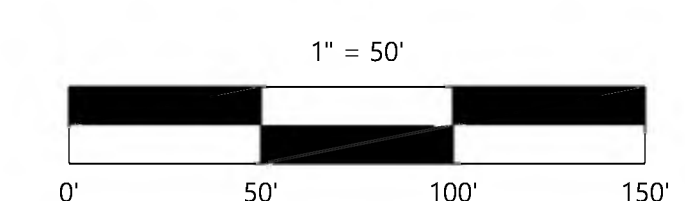
SITE DEVELOPMENT SUMMARY

EXISTING ZONING:	PID, PLANNED I-394 DISTRICT
PROPOSED ZONING:	PID, PLANNED I-394 DISTRICT
PARCEL DESCRIPTION:	KIA OF MINNETONKA, LOT 1, BLOCK 1
PROPERTY AREA:	495,675 SF (11.379 AC)
EXISTING SURFACE:	
TOTAL IMPERVIOUS:	81,492 SF (1.871 AC) (22%)
TOTAL PERVIOUS:	414,183 SF (9.508 AC) (78%)
PROPOSED SURFACE:	
TOTAL IMPERVIOUS:	145,538 SF (3.341 AC) (39.2%)
TOTAL PERVIOUS:	350,137 SF (8.038 AC) (60.8%)
BUILDING GROSS SIZE:	32,085 SF
PARKING RAMP GROSS SIZE:	225,100 SF
CITY SETBACKS	
ZONING BUILDING:	35' = LOCAL COLLECTOR STREET 50' = EXTERIOR LOT LINE* *OR HEIGHT OF BUILDING IF GREATER THAN 50'
ZONING SURFACE PRKG:	20' = EXTERIOR LOT LINES; ROW
ZONING STRUCTURE PRKG:	35' = EXTERIOR LOT LINES ADJ TO NON-RESIDENTIAL PROPERTIES; LOCAL STREET ROW 50' OR HEIGHT OF STRUCTURE, WHICHEVER GREATER = EXTERIOR LOT LINES ADJ. TO RESIDENTIAL; NON-LOCAL STREET ROW
WETLAND:	16.5' = MANAGE 2 CITY WETLAND BUFFER 20' = PARKING/DRIVE 35' = BUILDING
100-YEAR HWL:	10' = PARKING 20' = BUILDING
PARKING STALL/DRIVE AISLE REQ:	8.5' WIDE X 18' LONG, 24' AISLE

SEE ENLARGED PLANS FOR DETAIL



ACCESS ROAD CROSS SECTION NTS



NOT FOR CONSTRUCTION

DESIGNED:	03/06/2023
CHECKED:	
DRAWN:	CITY RESUBMITTAL
DATE:	08/01/2023
HORIZONTAL SCALE:	
VERTICAL SCALE:	

PREPARED FOR:
WALSER REAL ESTATE, LLC
7700 FRANCE AVENUE SOUTH, SUITE 411N
EDINA, MN 55435

I HEREBY CERTIFY THAT THE PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA
DATE: 08/01/2023 LICENSE NO. _____

WALSER KIA MINNETONKA
MINNETONKA, MN

Westwood
12700 Whittier Drive, Suite #200
Minnetonka, MN 55343
Phone: (952) 837-2165
Fax: (952) 837-2222
www.westwoodps.com
Westwood Professional Services, Inc.

SITE PLAN

SHEET NUMBER:

C200

DATE: 08/01/2023

PROJECT NUMBER: 0036502.00

DESIGNED	03/06/2023
CHECKED	
PERMANENT	
REVISIONS	
NO. / DATE	CITY RESUBMITTAL
DESCRIPTION	
DATE	
SCALE	
SCALE	

PREPARED FOR:
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7700 FRANCE AVENUE SOUTH, SUITE 41N
EDINA, MN 55435

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

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MINNETONKA, MN

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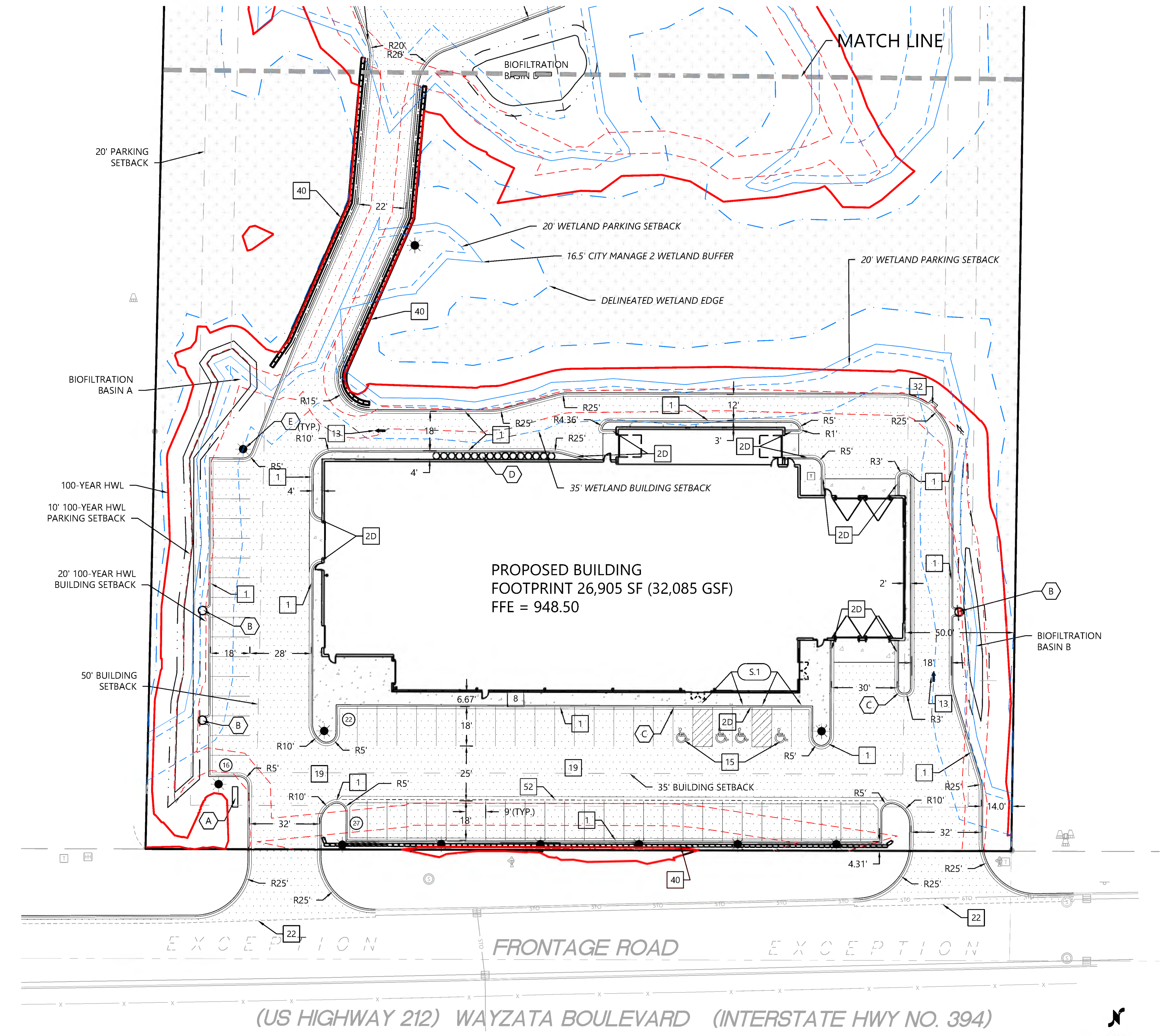
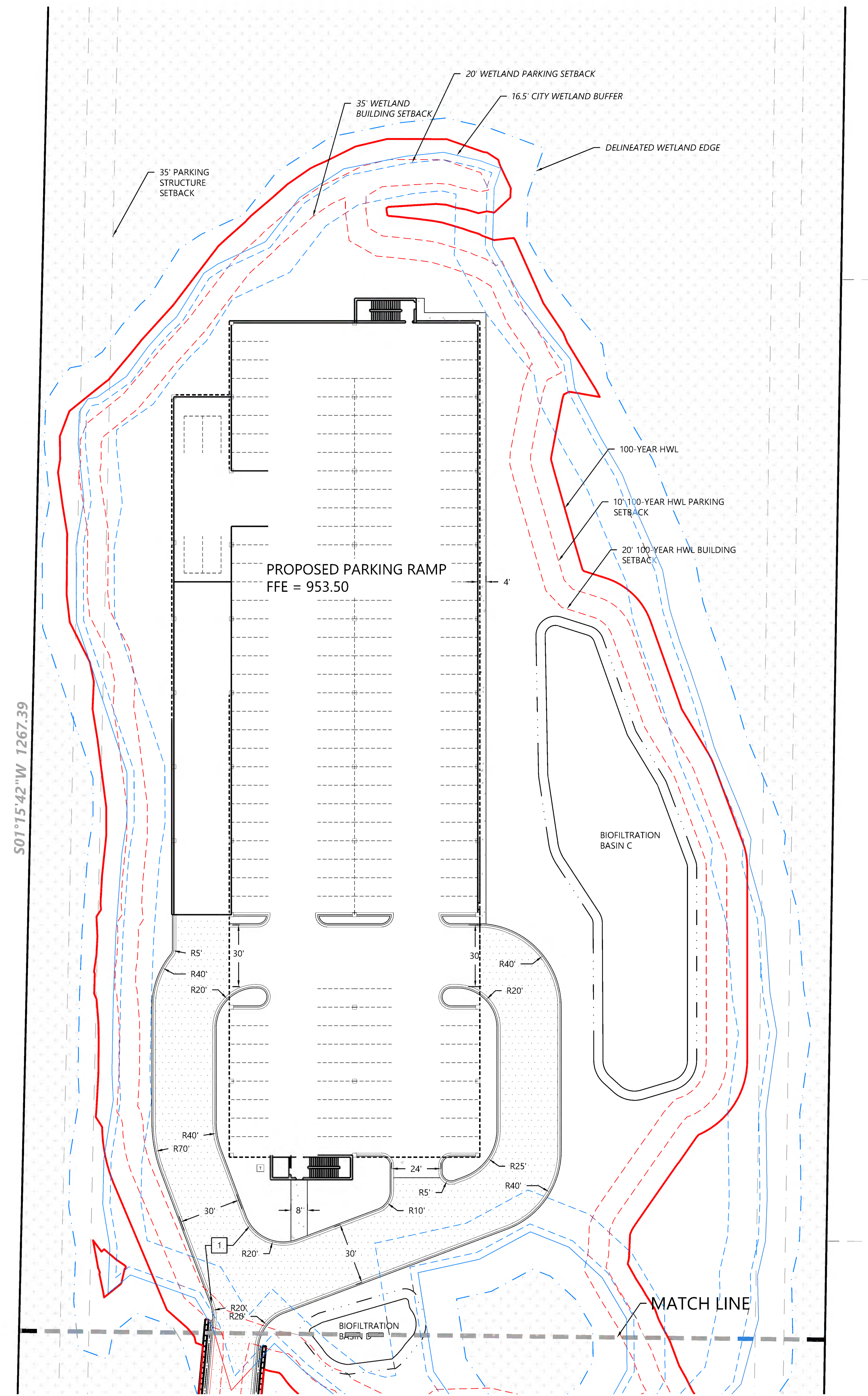
ENLARGED SITE PLAN

SHEET NUMBER:

C201

DATE: 08/01/2023

PROJECT NUMBER: 0036502.00



1 SITE DETAILS (SI-0XX)

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

A KEY NOTES

- A PROPOSED PYLON SIGN (SEE ARCH)
- B RAIN GUARDIAN TURRET OR APPROVED EQUAL
- C TRANSITION CURB AND GUTTER - B612 TO FLUSH
- D WATER REUSE CISTERN
- E LIGHT POLE - SEE ARCH

SIGN LEGEND

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

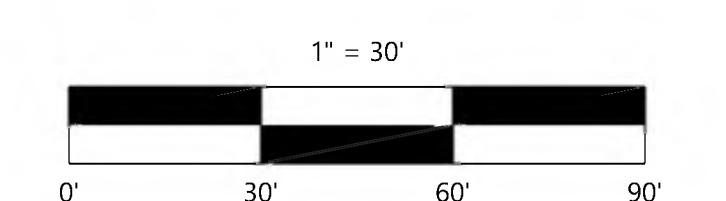
PARKING SUMMARY

RAMP TIER 1	153
RAMP TIER 2	162
RAMP TIER 3	162
RAMP TIER 4	165
NORTH RAMP SUBTOTAL	642 (91%)
SOUTH SURFACE LOT	65 (9%)
TOTAL STALLS	707 (100%)

SITE LEGEND

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

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



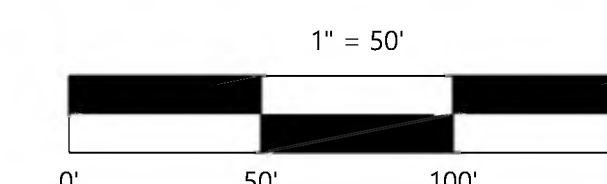
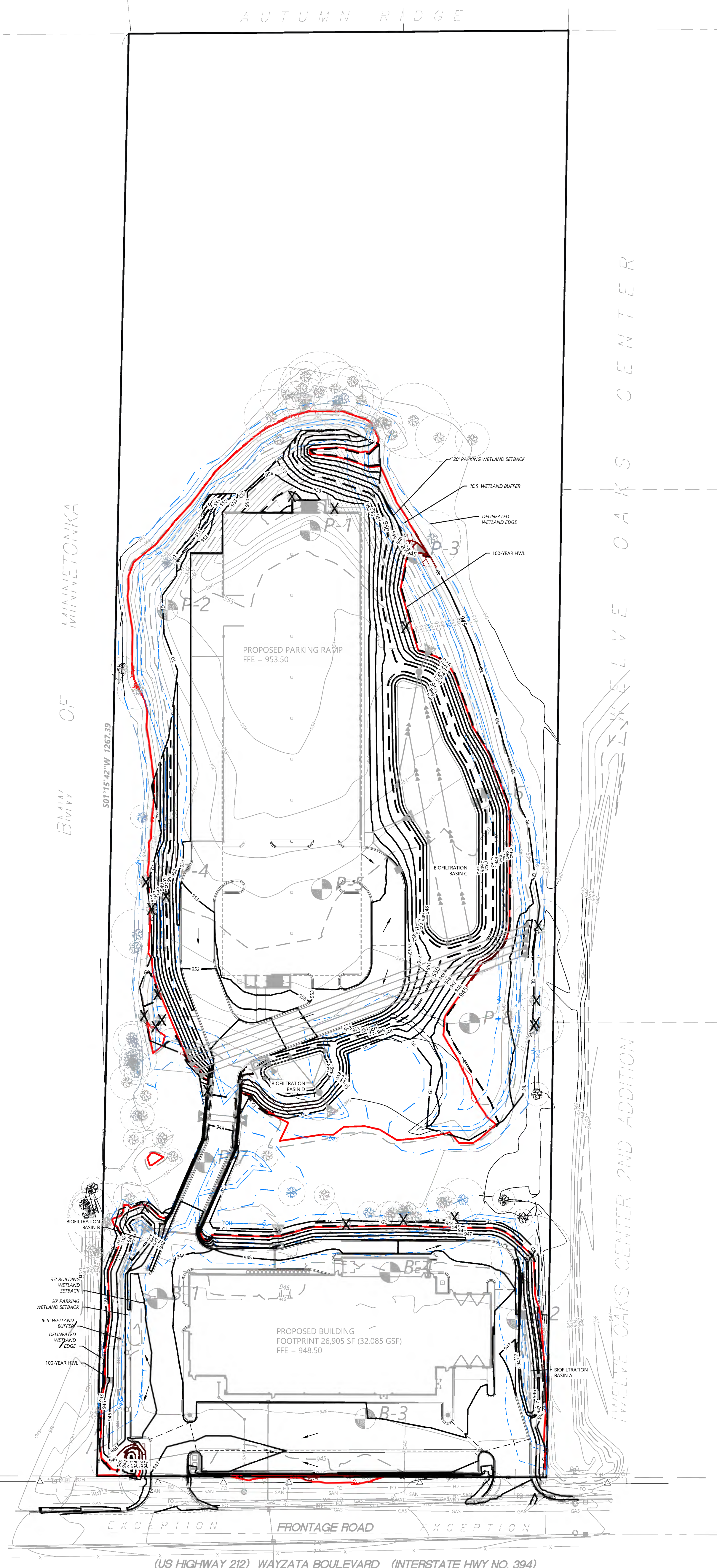
NOT FOR CONSTRUCTION

GRADING LEGEND

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

GRADING NOTES

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



NOT FOR CONSTRUCTION

DESIGNED	09/06/2023
CHECKED	
DRAWN	
APPROVED	
CITY RESUBMITTAL	
DATE	
HORIZONTAL SCALE	1" = 50'
VERTICAL SCALE	1" = 5'

PREPARED FOR:
WALSER REAL ESTATE, LLC
7700 FRANCE AVENUE SOUTH, SUITE 411N
EDINA, MN 55435

DATE: 08/01/2023 LICENSE NO. _____

WALSER KIA MINNETONKA
MINNETONKA, MN

Westwood
Professional Services, Inc.
12701 Whitehawk Drive, Suite #200
Minnetonka, MN 55343
Phone: (952) 837-2150
Fax: (952) 837-2222
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OVERALL GRADING PLAN

SHEET NUMBER:

C300

DATE: 08/01/2023

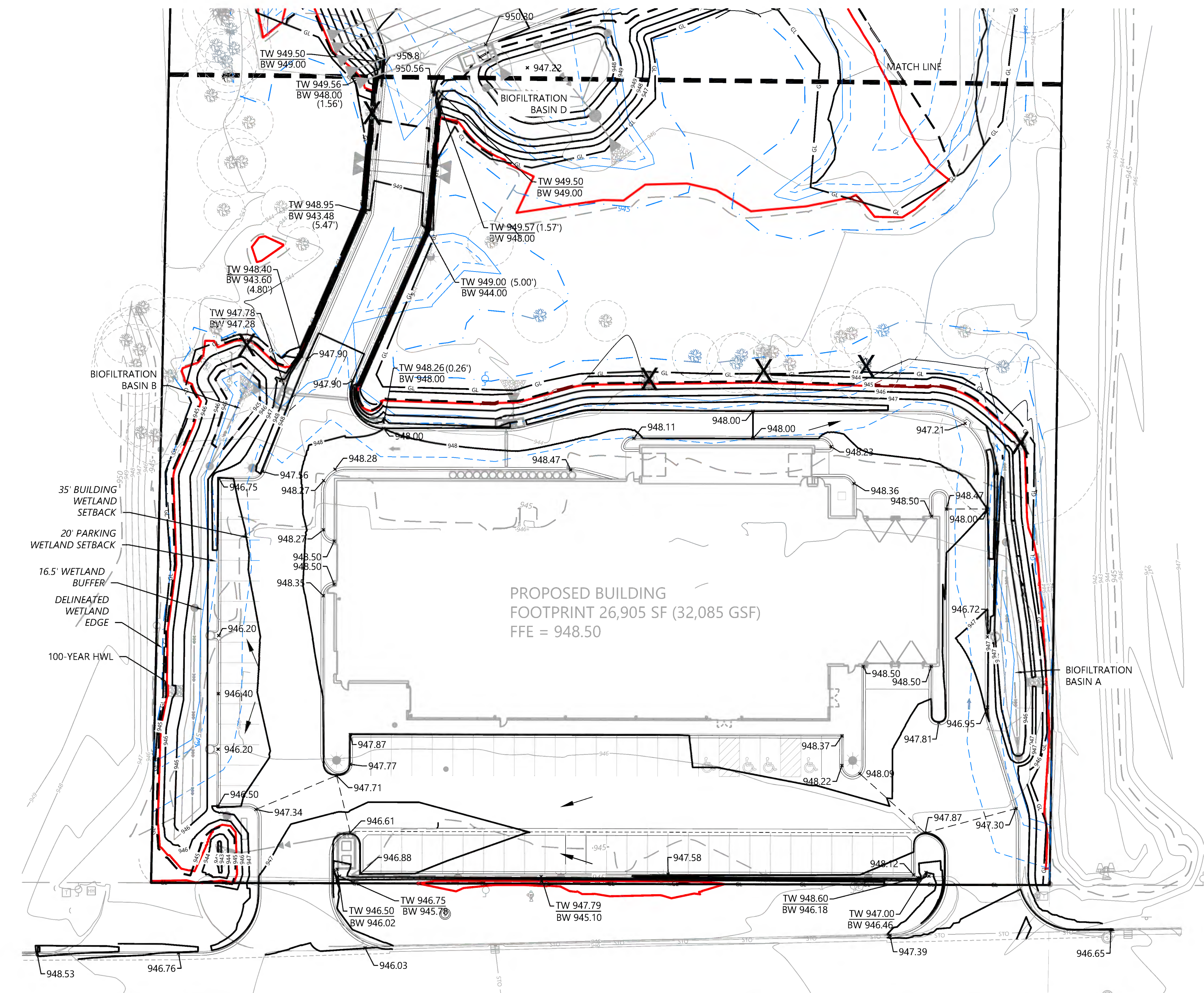
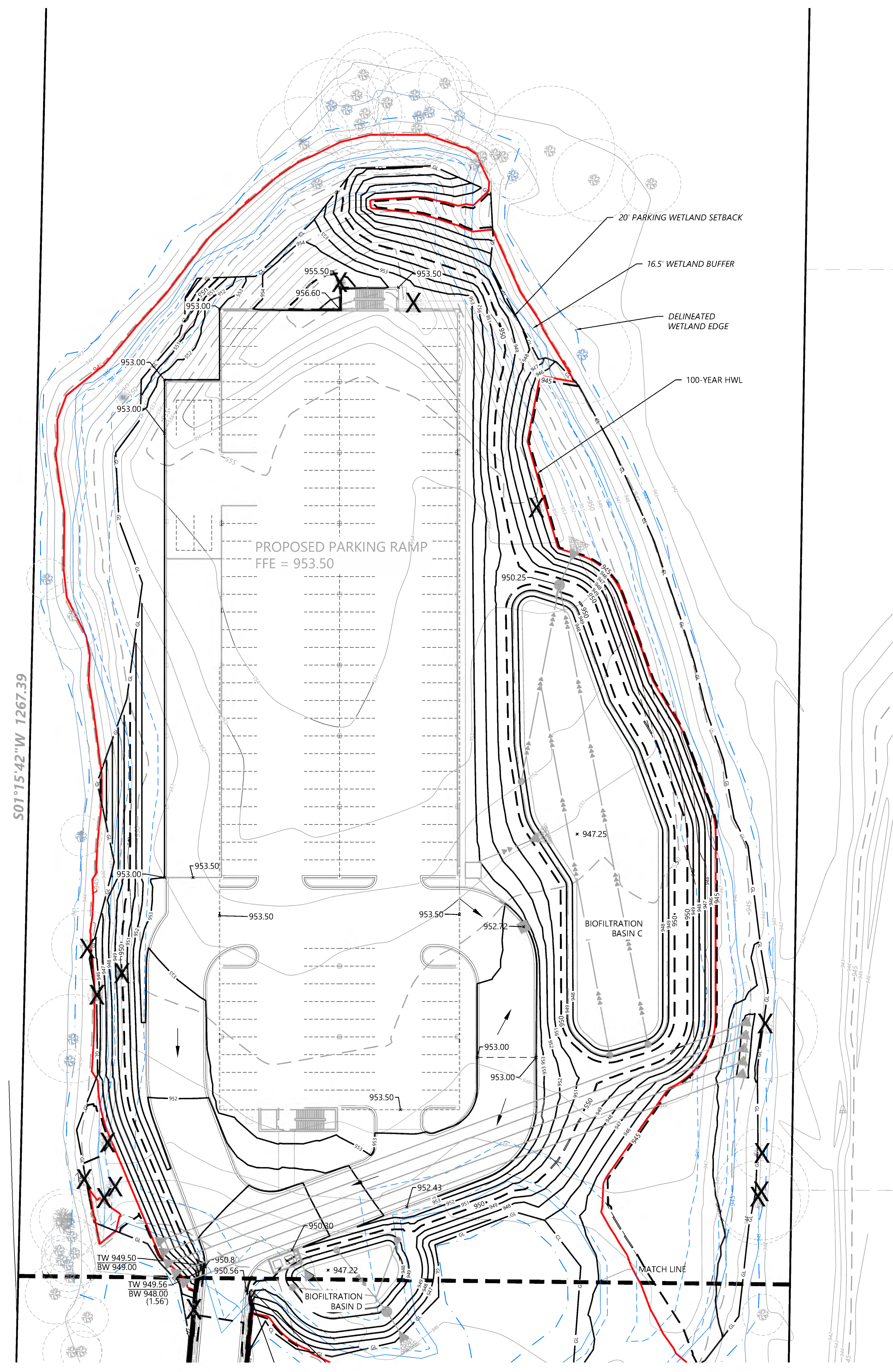
PROJECT NUMBER: 0036502.00

GRADING NOTES

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- SPOT ELEVATIONS SHOWN INDICATE FINISHED PAVEMENT ELEVATIONS & GUTTER FLOW LINE UNLESS OTHERWISE NOTED. PROPOSED CONTOURS ARE TO FINISHED SURFACE GRADE.
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- CONTRACTOR SHALL PROVIDE A STRUCTURAL RETAINING WALL DESIGN CERTIFIED BY A LICENSED PROFESSIONAL ENGINEER.
- ALL CONSTRUCTION SHALL CONFORM TO LOCAL, STATE AND FEDERAL RULES INCLUDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT REQUIREMENTS.
- PRIOR TO PLACEMENT OF ANY STRUCTURE OR PAVEMENT, A PROOF ROLL, AT MINIMUM, WILL BE REQUIRED ON THE SUBGRADE. PROOF ROLLING SHALL BE ACCOMPLISHED BY MAKING MINIMUM OF 2 COMPLETE PASSES WITH FULLY-LOADED TANDEM-AXLE DUMP TRUCK OR APPROVED EQUAL, IN EACH OF 2 PERPENDICULAR DIRECTIONS WHILE UNDER SUPERVISION AND DIRECTION OF THE INDEPENDENT TESTING LABORATORY. AREAS OF FAILURE SHALL BE EXCAVATED AND RE-COMPACTED AS SPECIFIED HEREIN.
- EMBANKMENT MATERIAL PLACED BENEATH BUILDINGS AND STREET OR PARKING AREAS SHALL BE COMPACTED IN ACCORDANCE WITH THE SPECIFIED DENSITY METHOD AS OUTLINED IN MNDOT 2105.3F1 AND THE REQUIREMENTS OF THE GEOTECHNICAL ENGINEER.
- EMBANKMENT MATERIAL NOT PLACED IN THE BUILDING PAD, STREETS OR PARKING AREA, SHALL BE COMPACTED IN ACCORDANCE WITH REQUIREMENTS OF THE ORDINARY COMPACTION METHOD AS OUTLINED IN MNDOT 2105.3F2.
- ALL SOILS AND MATERIALS TESTING SHALL BE COMPLETED BY AN INDEPENDENT GEOTECHNICAL ENGINEER. EXCAVATION FOR THE PURPOSE OF REMOVING UNSTABLE OR UNSUITABLE SOILS SHALL BE COMPLETED AS REQUIRED BY THE GEOTECHNICAL ENGINEER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING ALL REQUIRED SOILS TESTS AND INSPECTIONS WITH THE GEOTECHNICAL ENGINEER.

GRADING LEGEND

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



S01°15'42"W 1267.39

DESIGNED	03/06/2023
CHECKED	
DRAWN	
APPROVED	
DATE	08/01/2023
PROJECT	036502
CITY	MINNETONKA
SCALE	
SCALE	

PREPARED FOR:
WALSER REAL ESTATE, LLC
7700 FRANCE AVENUE SOUTH, SUITE 41N
EDINA, MN 55435

DATE: 08/01/2023 LICENSE NO. _____

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

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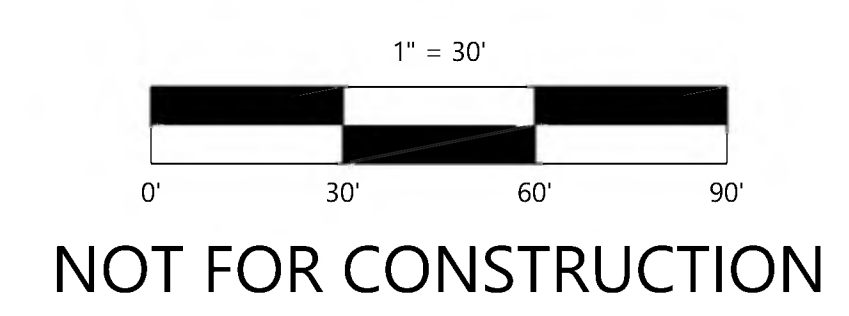
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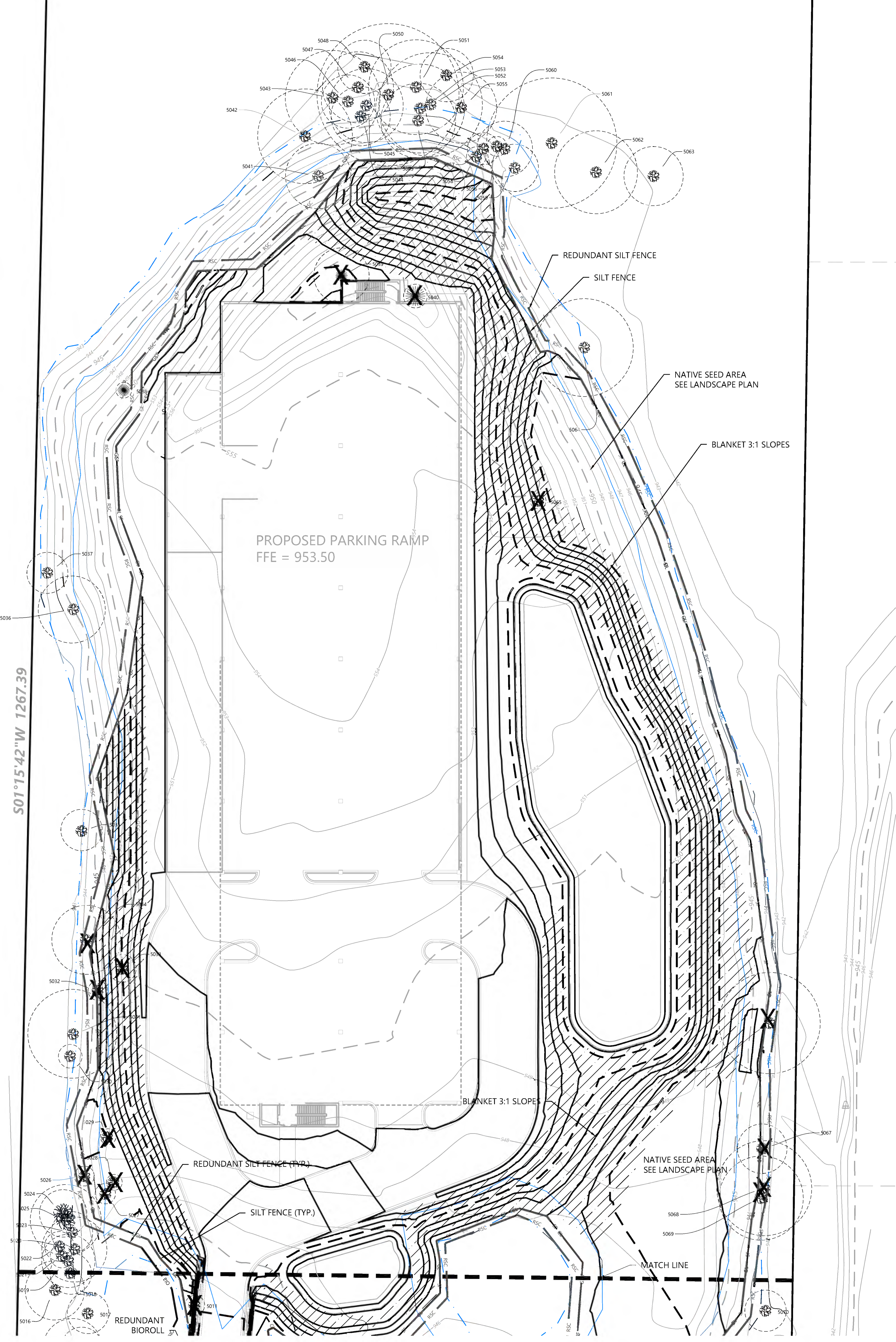
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DATE: 08/01/2023

PROJECT NUMBER: 0036502.00



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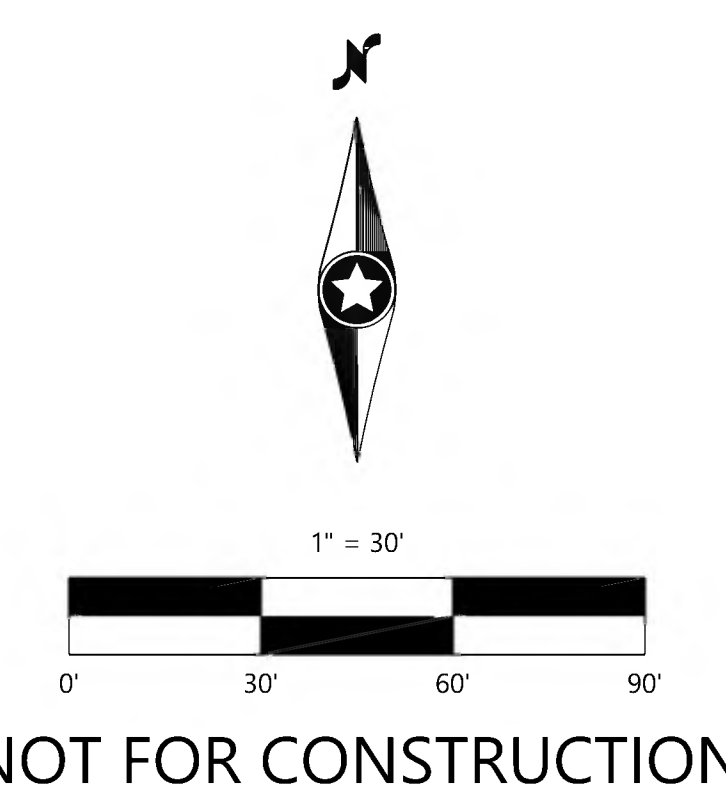
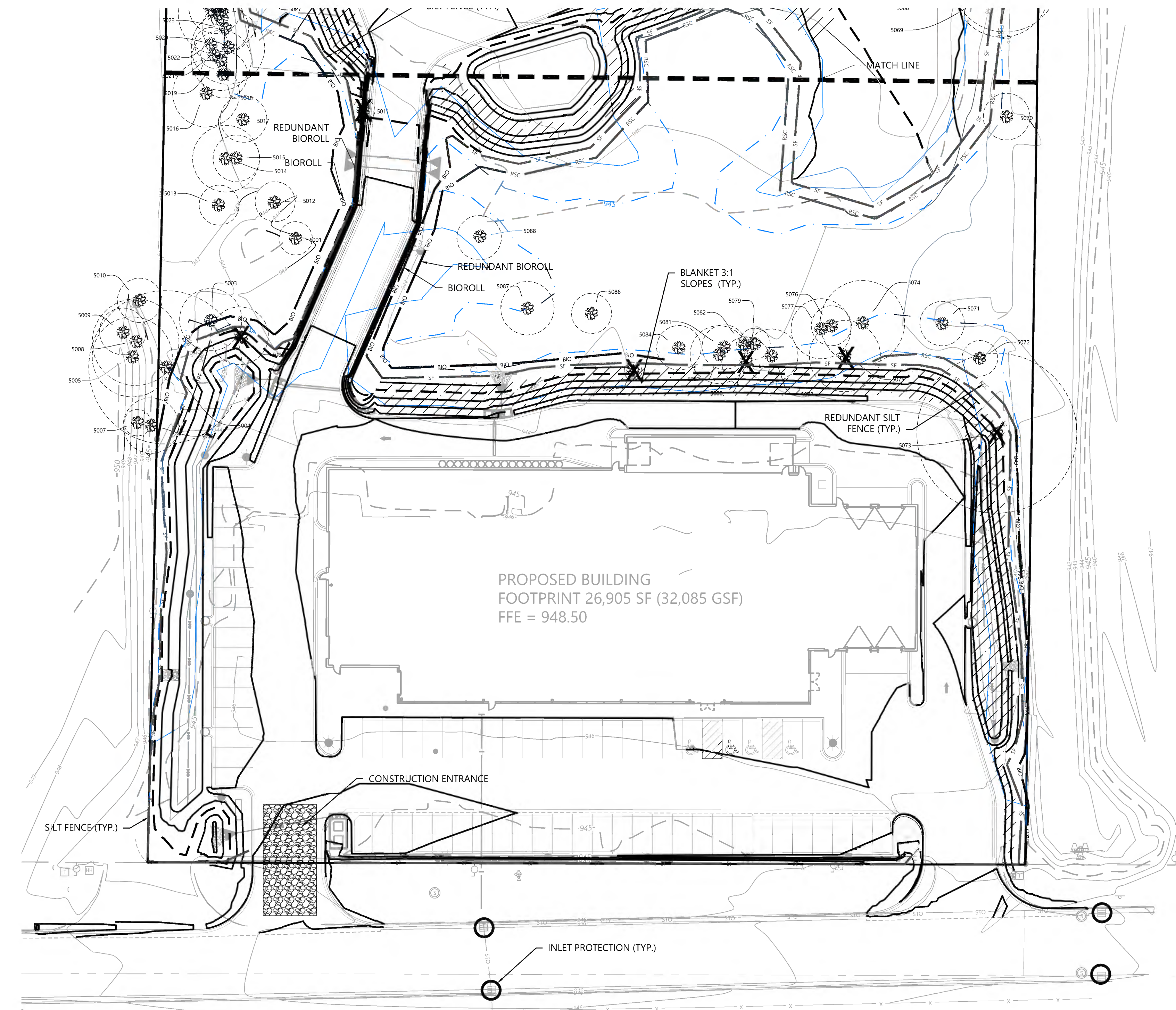


GENERAL EROSION CONTROL NOTES

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

EROSION CONTROL LEGEND

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



NOT FOR CONSTRUCTION

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Common Ground Alliance

DESIGNED	03/06/2023
CHECKED	
DRAWN	
PROJECT NO.	0036502
CITY/RESUBMITTAL	
DATE	08/01/2023
HORIZONTAL SCALE	AS SHOWN
VERTICAL SCALE	AS SHOWN

PREPARED FOR:
WALSER REAL ESTATE, LLC
7700 FRANCE AVENUE SOUTH, SUITE 41N
EDINA, MN 55435

I HEREBY CERTIFY THAT THE PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.
DATE: 08/01/2023 LICENSE NO. _____

WALSER KIA MINNETONKA
MINNETONKA, MN

Westwood
Professional Services, Inc.
12701 Whittaker Drive, Suite #300
Minnetonka, MN 55343
(952) 837-2169
(952) 837-2622
www.westwoodps.com

EROSION CONTROL PLAN

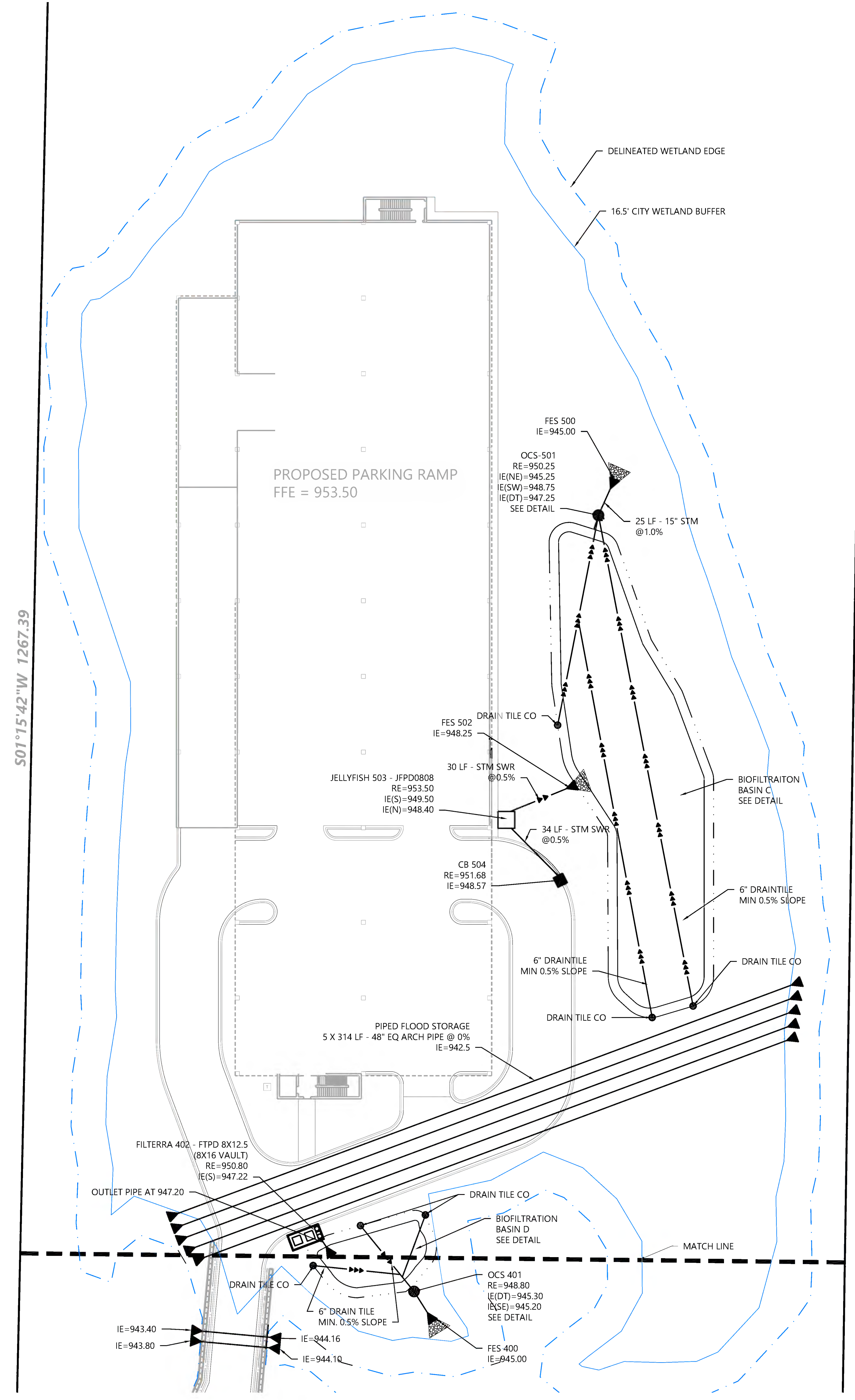
SHEET NUMBER:

C400

DATE: 08/01/2023

PROJECT NUMBER: 0036502.00

WALSER KIA MINNETONKA



GENERAL UTILITY NOTES

- THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS ARE BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND LIMITED MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION SHALL NOT BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR SHALL VERIFY EXISTING CONDITIONS PRIOR TO CONSTRUCTION AND NOTIFY THE OWNER OR ENGINEER OF DISCREPANCIES.
- ALL SANITARY SEWER, STORM SEWER AND WATER MAIN MATERIAL AND INSTALLATIONS SHALL BE PER CITY REQUIREMENTS, MINNESOTA PLUMBING CODE, AND IN ACCORDANCE WITH THE CURRENT EDITION OF "STANDARD SPECIFICATIONS FOR WATER MAIN AND SERVICE LINE INSTALLATION AND SANITARY SEWER AND STORM SEWER INSTALLATION" AS PREPARED BY THE CITY ENGINEERS ASSOCIATION OF MINNESOTA.
- PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL OBTAIN THE NECESSARY FEDERAL, STATE AND LOCAL PERMITS FOR THE PROPOSED WORK OR VERIFY WITH THE OWNER OR ENGINEER THAT PERMITS HAVE BEEN OBTAINED. PERMIT FEES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR UNLESS OTHERWISE ARRANGED WITH THE OWNER.
- CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATION AND DIMENSIONS OF DOORWAYS, RAMPS, TRUCK DOCKS, PRECISE BUILDING DIMENSIONS AND EXACT BUILDING UTILITY CONNECTION LOCATIONS.
- ALL PRIVATE UTILITIES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE SPECIFICATIONS OF THE APPROPRIATE UTILITY COMPANY. THE CONTRACTOR SHALL COORDINATE THE SERVICE LINE CONSTRUCTION WITH THE UTILITY COMPANIES.
- CONTRACTOR SHALL OBTAIN ALL NECESSARY CITY PERMITS FOR UTILITY CONNECTIONS, AND UTILITIES SHALL BE INSPECTED AND APPROVED BY THE CITY. THE CITY SHALL BE NOTIFIED 48-HOURS PRIOR TO COMMENCING WITH THE UTILITY CONSTRUCTION OR ANY REQUIRED TESTING. CONTRACTOR SHALL NOT OPERATE, INTERFERE WITH, CONNECT ANY PIPE OR HOSE TO, OR TAP ANY WATER MAIN BELONGING TO THE CITY UNLESS DULY AUTHORIZED TO DO SO BY THE CITY. ANY ADVERSE CONSEQUENCES OF SCHEDULED OR UNSCHEDULED DISRUPTIONS OF SERVICE TO THE PUBLIC ARE TO BE THE RESPONSIBILITY OF THE CONTRACTOR.
- WATER MAIN LENGTHS AS SHOWN ARE APPROXIMATE HORIZONTAL LENGTHS. ALLOW FOR ADDITIONAL PIPE WHEN INSTALLING ON SLOPES OR WHEN DEFLECTIONS ARE REQUIRED. THE JOINT DEFLECTIONS SHALL NOT EXCEED THE MAXIMUM RECOMMENDED BY THE PIPE MANUFACTURER OR BY LOCAL GOVERNING SPECIFICATIONS. FITTINGS REQUIRED TO CONSTRUCT WATER MAIN SHALL BE INCLUDED IN WATER MAIN CONSTRUCTION.
- PROVIDE WATER MAIN THRUST RESTRAINTS PER CITY STANDARD REQUIREMENTS.
- A MINIMUM VERTICAL SEPARATION OF 18 INCHES IS REQUIRED AT ALL WATER LINE CROSSINGS WITH SANITARY SEWER OR STORM SEWER. THE WATER LINE SHALL NOT HAVE JOINTS OR CONNECTION WITHIN 10-FEET OF THE CROSSING. INSULATE CROSSINGS WITH STORM SEWER.
- UTILITY SERVICES TYPICALLY TERMINATE 5' OUTSIDE BUILDING WALL UNLESS OTHERWISE SHOWN OR NOTED.
- DUCTILE IRON WATER LINES SHALL BE CLASS 53 PER AWWA C115 OR C151. COPPER WATER LINES SHALL BE TYPE K PER ASTM B88. PVC WATER LINES SHALL BE PER AWWA C900 AND INSTALLED PER AWWA C605 IF ALLOWED BY CITY.
- ALL WATER LINES SHALL HAVE 7.5' MINIMUM COVER. INSULATE WATER MAIN IF LESS THAN 8' OF COVER. INSULATION SHALL BE DOW STYROFOAM HI BRAND 35 OR EQUIVALENT, WITH 4 INCHES OF THICKNESS.
- SANITARY SEWER PIPE OUTSIDE THE BUILDING ENVELOPE SHALL BE POLYVINYL CHLORIDE (PVC) SDR 35 OR 26. SDR 26 IS REQUIRED FOR DEPTHS GREATER THAN 15 FEET. SANITARY SEWER PIPE WITHIN 5 FEET OF THE BUILDING AND UNDER FOOTINGS SHALL BE SCHEDULE 40 PER ASTM D2665. ALL PLASTIC SANITARY SEWER SHALL BE INSTALLED PER D2321. SOLVENT WELD JOINTS MUST INCLUDE USE OF A PRIMER WHICH IS OF A CONTRASTING COLOR TO THE PIPE AND CEMENT. ALL SANITARY SEWER SHALL BE TESTED ACCORDING TO MINNESOTA PLUMBING CODE, PART 712.0.
- STORM SEWER PIPE:
 - RCP AND HDPE PIPE MAY BE INSTALLED WITH APPROVAL OF LOCAL GOVERNING AGENCY.
 - REINFORCED CONCRETE PIPE SHALL BE CLASS 5 FOR PIPE DIAMETERS 18" AND SMALLER, CLASS 3 FOR PIPE DIAMETERS 21" AND LARGER UNLESS OTHERWISE NOTED, PER ASTM C76, WITH GASKETS PER ASTM C443.
 - HDPE STORM PIPE 4" TO 10-INCHES IN DIAMETER SHALL MEET REQUIREMENTS OF AASHTO M252. HDPE STORM PIPE 12" TO 60-INCHES IN DIAMETER SHALL MEET REQUIREMENTS OF ASTM F2306. FITTINGS SHALL BE PER ASTM D3212 AND INSTALLED PER ASTM D2321.
 - PVC STORM SEWER PIPE AND FITTINGS SHALL BE SCHEDULE 40 PIPE PER ASTM D2665 AND INSTALLED PER ASTM D2321.
 - CORRUGATED METAL PIPE (CMP) FOR SIZES 18" TO 120" INCH AND MUST MEET ASTM A750 OR ASTM A798 AND BE INSTALLED PER ASTM A798. CMP MAY NOT BE INSTALLED WITHIN 10 FEET OF A WATERMAIN, WATER SERVICE, OR A BUILDING.
 - ALL STORM SEWER JOINTS AND STRUCTURE CONNECTIONS SHALL BE GASTIGHT OR WATERTIGHT AS REQUIRED BY MINNESOTA PLUMBING CODE, PART 707.3. STORM SEWER LOCATED WITHIN 10- FEET OF A BUILDING AND/OR WATER LINE SHALL BE TESTED PER MINNESOTA PLUMBING CODE, PART 712.
- ALL NONCONDUCTIVE PIPE SHALL BE INSTALLED WITH A LOCATE (TRACER) WIRE PER MINNESOTA RULES, PART 7560.0150.
- AFTER CONSTRUCTION IS COMPLETED, THE CONTRACTOR SHALL PROVIDE THE OWNER WITH AN AS-BUILT RECORD OF UTILITY CONSTRUCTION. THE AS-BUILT SHALL INCLUDE LOCATION AND LENGTH DEVIATIONS OR CHANGES TO THE PLAN. CONTRACTOR TO VERIFY WITH OWNER OR ENGINEER WHETHER A PLAN WITH POST-CONSTRUCTION ELEVATIONS IS REQUIRED.
- ALL MAN-HOLE CASTINGS IN PAVED AREAS SHALL BE SUMPED 0.05 FEET. RIM ELEVATIONS ON PLAN REFLECT THE SUMPED ELEVATIONS.
- ALL CATCH BASIN CASTINGS IN CURB SHALL BE SUMPED 0.15 FEET AND MAN-HOLE CASTINGS IN PAVED AREAS SHALL BE SUMPED 0.05 FEET. RIM ELEVATIONS ON PLAN REFLECT THE SUMPED ELEVATIONS.

UTILITY LEGEND

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

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DESIGNED	03/06/2023
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APPROVED	
DATE	08/01/2023
PROJECT	036502
CITY	MINNETONKA
SCALE	
SCALE	

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EDINA, MN 55435

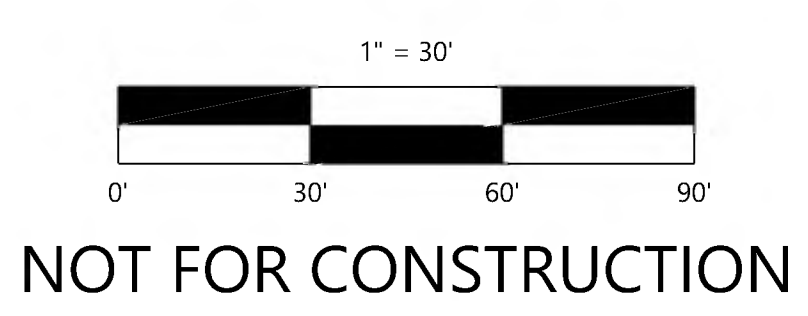
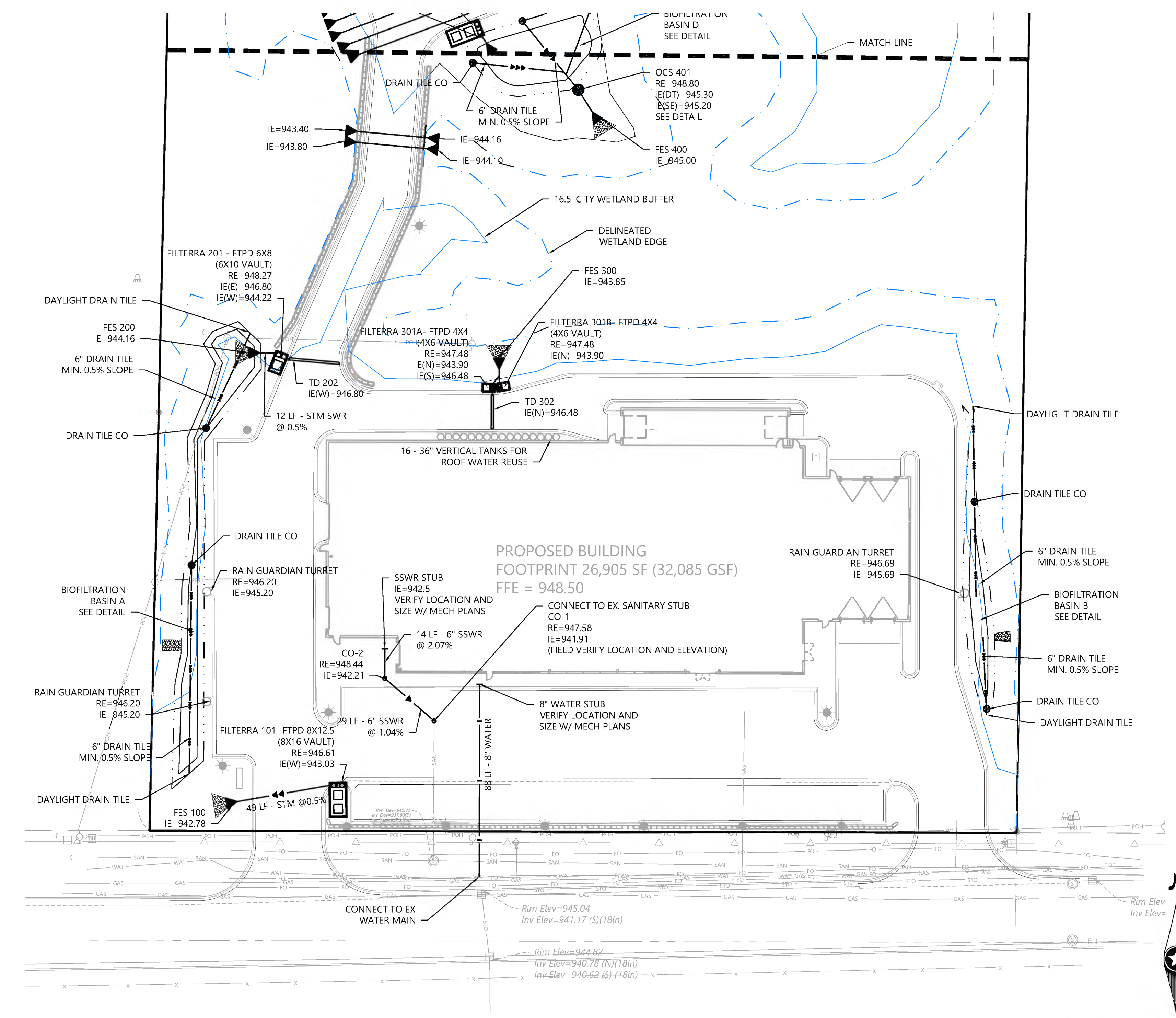
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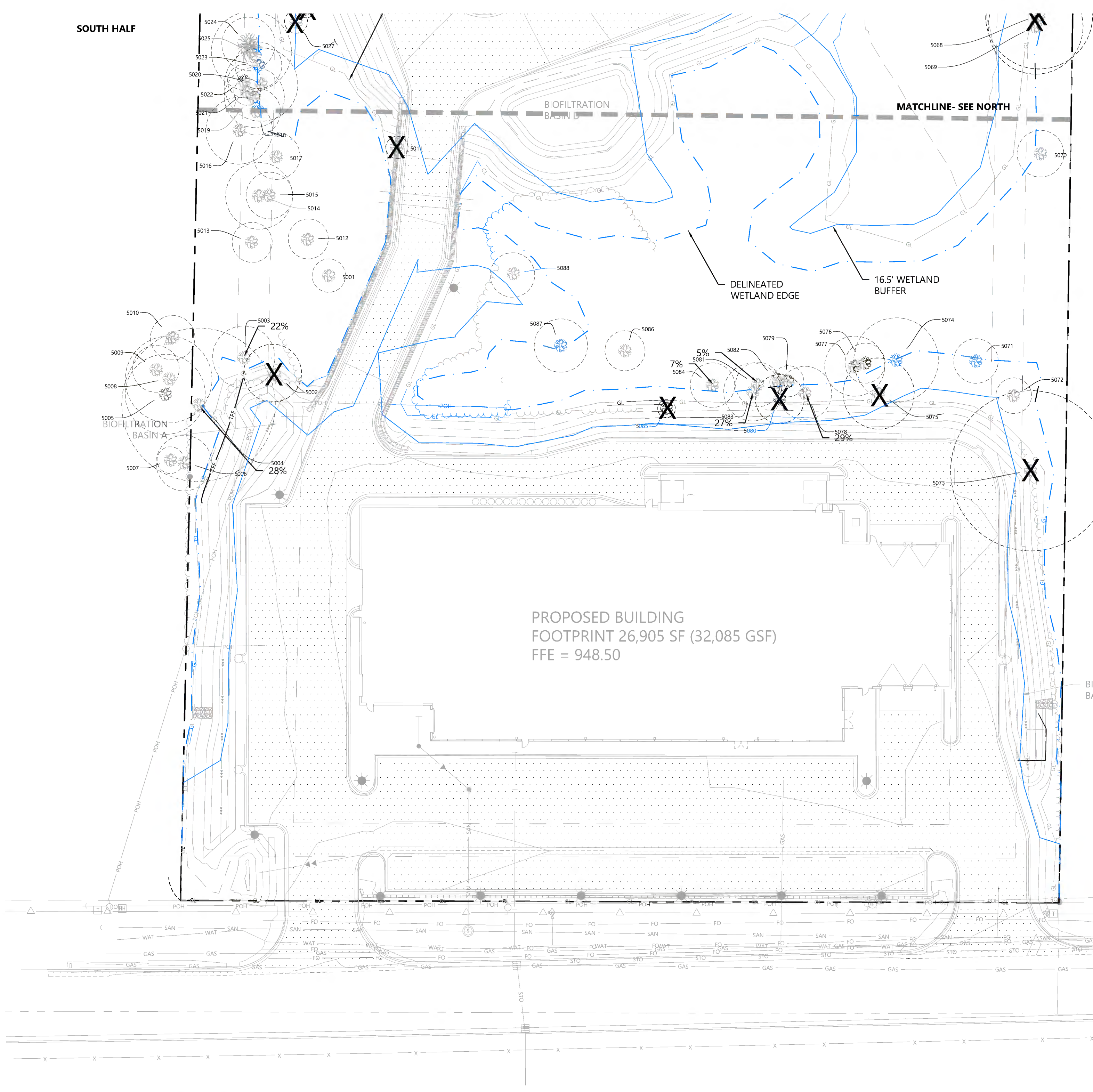
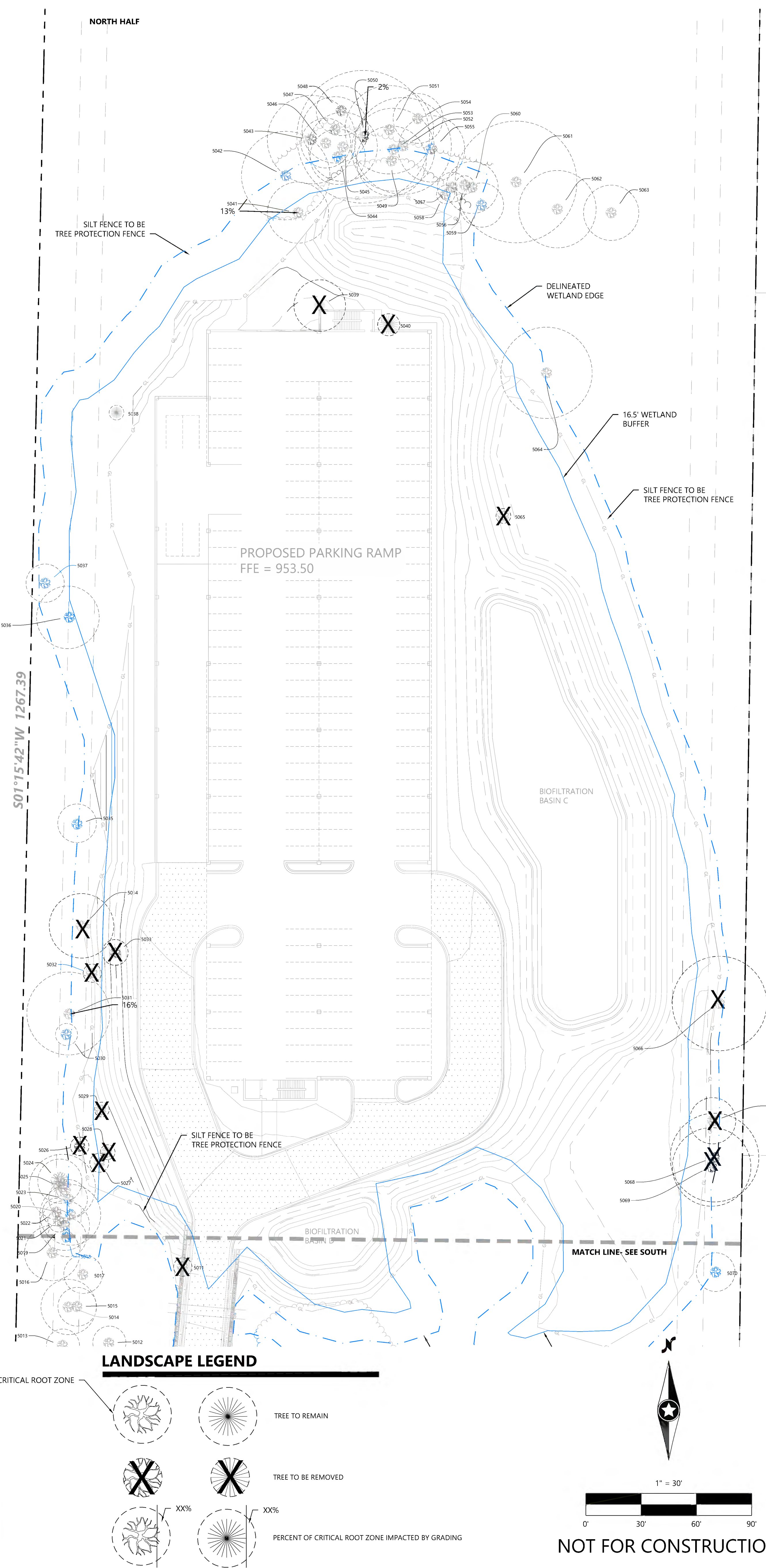
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12700 Whittaker Drive, Suite #200
Minnetonka, MN 55343
Phone: (952) 837-2155
Fax: (952) 837-2222
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UTILITIES PLAN
SHEET NUMBER:
C500
DATE: 08/01/2023
PROJECT NUMBER: 0036502.00





TREE MITIGATION SUMMARY

TREE REMOVALS	
HIGH PRIORITY TREES	
NUMBER OF HIGH PRIORITY TREES=	45
NUMBER EXEMPT**=	10
NUMBER OF TREES EXCLUDING EXEMPT=	35
NUMBER REMOVED=	7
DECIDUOUS REMOVED=	4
NUMBER EXEMPT REMOVED=	109 in
CONIFEROUS REMOVED (ft)=	40 ft
PERCENT OF TREES ON SITE (95% ALLOWED)=	20% (7/35=2)
SIGNIFICANT TREES	
NUMBER OF SIGNIFICANT TREES=	37
NUMBER EXEMPT**=	11
NUMBER OF TREES EXCLUDING EXEMPT=	26
NUMBER REMOVED=	5
NUMBER EXEMPT REMOVED=	4
DECIDUOUS REMOVED (DBH in)=	25 in
CONIFEROUS REMOVED (ft)=	0 ft
PERCENT OF TREES ON SITE (50% ALLOWED)=	19% (5/26=19)
TOTALS	
NUMBER OF TREES ON SITE=	82
NUMBER EXEMPT**=	21
NUMBER OF TREES EXCLUDING EXEMPT=	61
NUMBER REMOVED=	12
NUMBER EXEMPT REMOVED=	8
DECIDUOUS REMOVED (DBH in)=	134 in
CONIFEROUS REMOVED (ft)=	40 ft
PERCENT OF TREES ON SITE=	20% (12/61=19)

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

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

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

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

MITIGATION REQUIRED

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

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

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

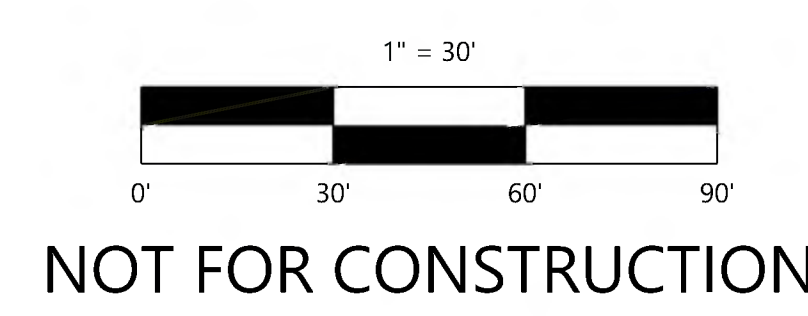
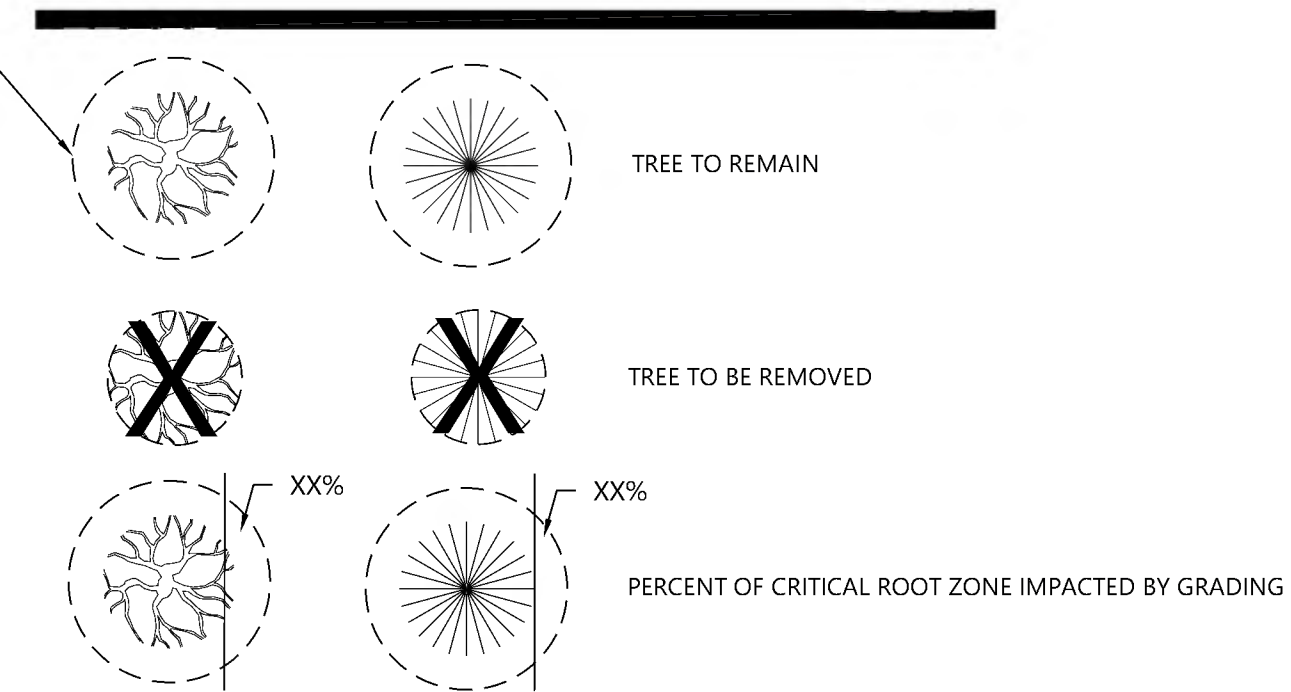
TREE INVENTORY

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

TREE INVENTORY LEGEND

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

LANDSCAPE LEGEND



DESIGNED: [] CHECKED: [] DRAWN: [] VERIFIED: []

INITIAL ISSUE: 03/05/2023 CITY RESUBMITTAL

PREPARED FOR: **WALSER REAL ESTATE, LLC**
7700 FRANCE AVENUE SOUTH, SUITE 41N
EDINA, MN 55435

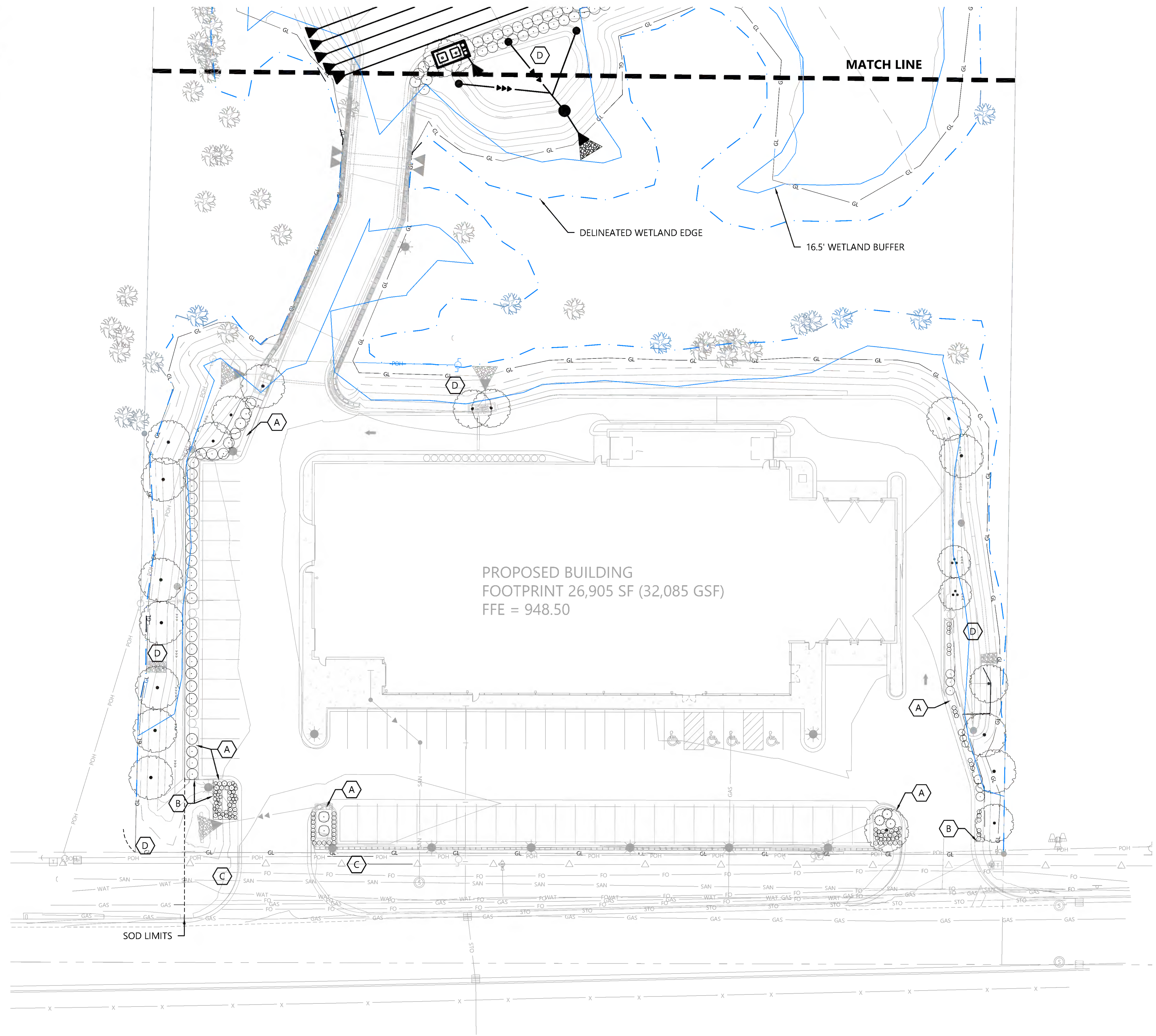
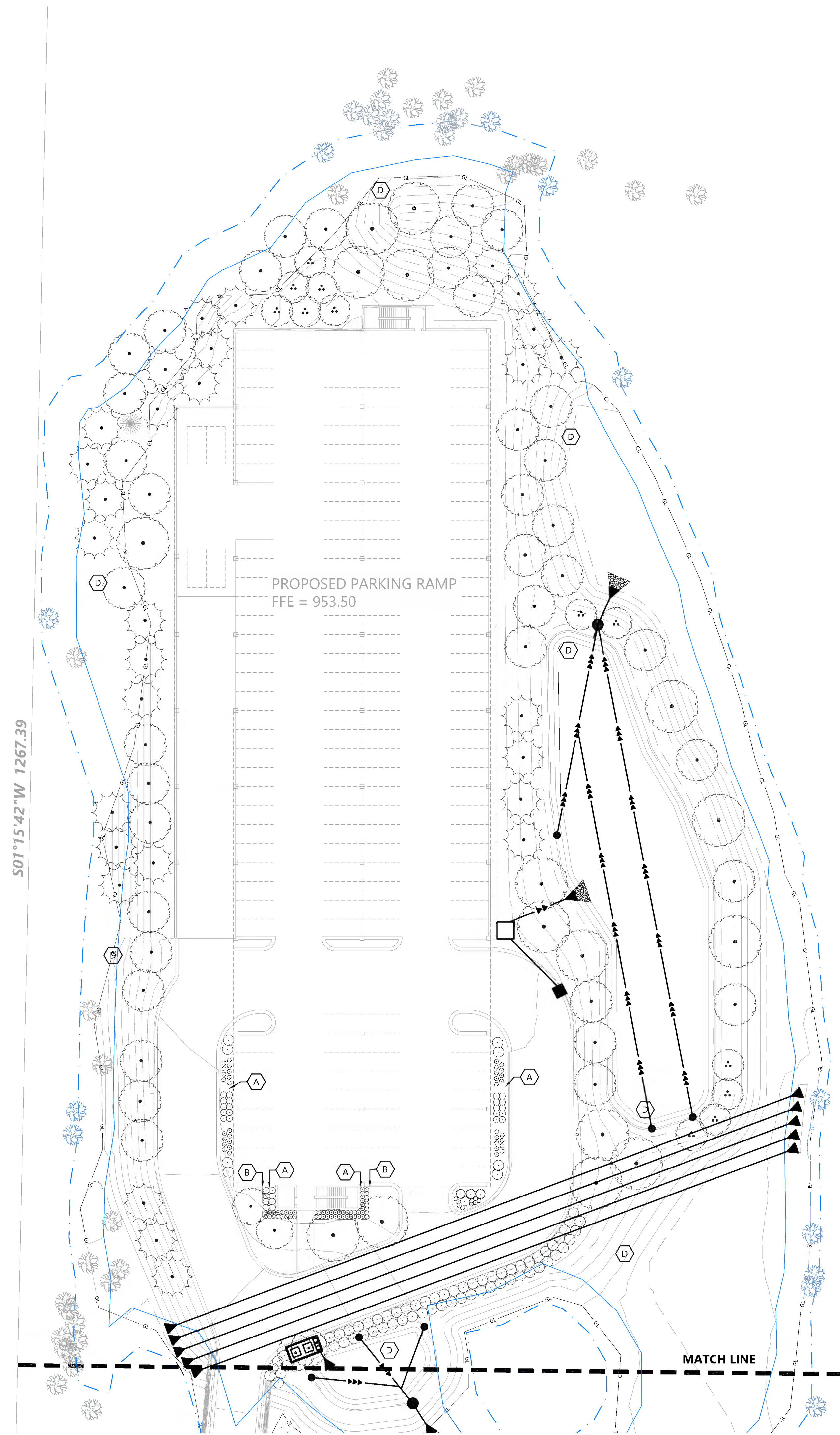
PREPARED BY: **WALSER KIA MINNETONKA**
MINNETONKA, MN

WESTWOOD PROFESSIONAL SERVICES, INC.
12710 Whittaker Drive, Suite B200
Edina, MN 55435
(952) 937-2522
www.westwoodps.com

TREE PRESERVATION PLAN

SHEET NUMBER: **L100**

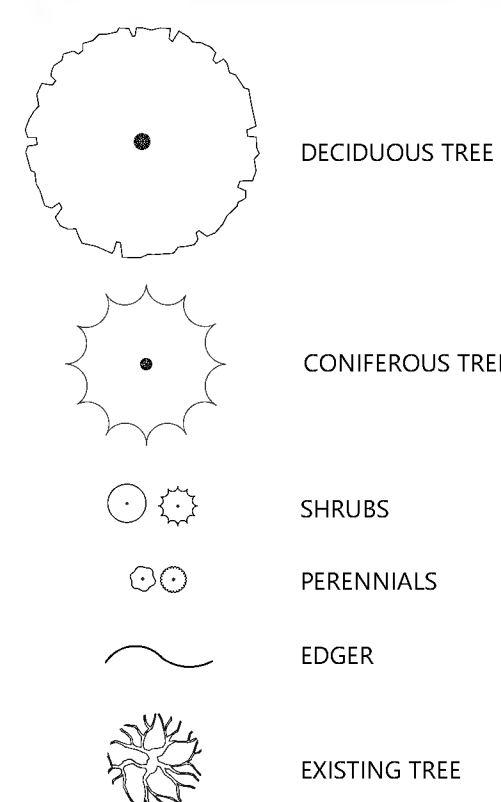
DATE: 08/01/2023 PROJECT NUMBER: 0036502.00



PLANT SCHEDULE

CONIFEROUS TREES	QTY	29	COMMON / BOTANICAL NAME	SIZE	SPACING O.C.
ERC	10		EASTERN REDCEDAR / JUNIPERUS VIRGINIANA	8' HT B&B	AS SHOWN
TAM	5		TAMARACK / LARIX LARICINA	8' HT B&B	AS SHOWN
BLS	10		BLACK SPRUCE / PICEA MARIANA	8' HT B&B	AS SHOWN
DECIDUOUS TREES	QTY	68	COMMON / BOTANICAL NAME	SIZE	SPACING O.C.
REM	10		RED MAPLE / ACER RUBRUM	2.5' CAL	AS SHOWN
MAM	2		MATADOR™ FREEMAN MAPLE / ACER X FREEMANI 'BAILSTON'	2.5' CAL	AS SHOWN
RIB	14		RIVER BIRCH / BETULA NIGRA	2.5' CAL	AS SHOWN
SKH	6		SKYLINE® HONEY LOCUST / GLEDITSIA TRIACANTHOS INERMIS 'SKYCOLE'	2.5' CAL	AS SHOWN
SIP	8		SIOUXLAND POPLAR / POPULUS DELTOIDES 'SIOUXLAND'	2.5' CAL	AS SHOWN
SWO	15		SWAMP WHITE OAK / QUERCUS BICOLOR	2.5' CAL	AS SHOWN
BLW	5		BLACK WILLOW / SALIX NIGRA	2.5' CAL	AS SHOWN
PAE	8		PRINCETON AMERICAN ELM / ULMUS AMERICANA 'PRINCETON'	2.5' CAL	AS SHOWN
ORNAMENTAL TREES	QTY	24	COMMON / BOTANICAL NAME	SIZE	SPACING O.C.
ALS	14		ALLEGHENY SERVICEBERRY MULTI-TRUNK	6' HT B&B	AS SHOWN
BBE	10		BLUE BEECH / CARPINUS CAROLINIANA	2.5' CAL	AS SHOWN
CONIFEROUS SHRUBS	QTY	7	COMMON / BOTANICAL NAME	SIZE	SPACING O.C.
CBJ			COMMON BUSH JUNIPER / JUNIPERUS COMMUNIS DEPRESSA	#5 CONT.	4'-0" O.C.
DECIDUOUS SHRUB	QTY	143	COMMON / BOTANICAL NAME	SIZE	SPACING O.C.
RTD			RED TWIG DOGWOOD / CORNUS SERICEA	#5 CONT.	5'-0" O.C.
AFD			ARCTIC FIRE® RED TWIG DOGWOOD / CORNUS SERICEA 'FARROW'	#5 CONT.	4'-0" O.C.
DBH			DWARF BUSH HONEYSUCKLE / DIERVILLA LONICERA	#5 CONT.	3'-0" O.C.
WIN			WINTERBERRY / ILEX VERTICILLATA	#5 CONT.	5'-0" O.C.
GLS			GRO-LOW FRAGRANT SUMAC / RHUS AROMATICA 'GRO-LOW'	#5 CONT.	5'-0" O.C.
BCV			BAILEY'S COMPACT VIBURNUM / VIBURNUM TRILOBUM 'BAILEY COMPACT'	#5 CONT.	3'-0" O.C.
PERENNIALS	QTY	51	COMMON / BOTANICAL NAME	SIZE	SPACING O.C.
NEA			NEW ENGLAND ASTER / ASTER NOVAE-ANGLIAE	#1 CONT.	18" O.C.
MBC			MOONBEAM TICKSEED / COREOPSIS VERTICILLATA 'MOONBEAM'	#1 CONT.	24" O.C.
PUC			PURPLE CONEFLOWER / ECHINACEA PURPUREA	#1 CONT.	18" O.C.
PBS			PRAIRIE BLAZINGSTAR / LIATRIS Pycnostachya	#1 CONT.	30" O.C.
BES			BLACK-EYED SUSAN / RUDBECKIA HIRTA	#1 CONT.	18" O.C.
GRASSES	QTY	160	COMMON / BOTANICAL NAME	SIZE	SPACING O.C.
KFG			KARL FOERSTER FEATHER REED GRASS / CALAMAGROSTIS X ACUTIFLORA 'KARL FOERSTER'	#1 CONT.	24" O.C.
SSG			SHENANDOAH SWITCH GRASS / PANICUM VIRGATUM 'SHENANDOAH'	#1 CONT.	24" O.C.
BLB			BLAZE LITTLE BLUESTEM / SCHIZACHYRIUM SCOPARIUM 'BLAZE'	#1 CONT.	18" O.C.
PDS			PRAIRIE DROPSSEED / SPOROBOLUS HETEROLEPIS	#1 CONT.	24" O.C.

LANDSCAPE LEGEND



LANDSCAPE KEYNOTES

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

LANDSCAPE SUMMARY

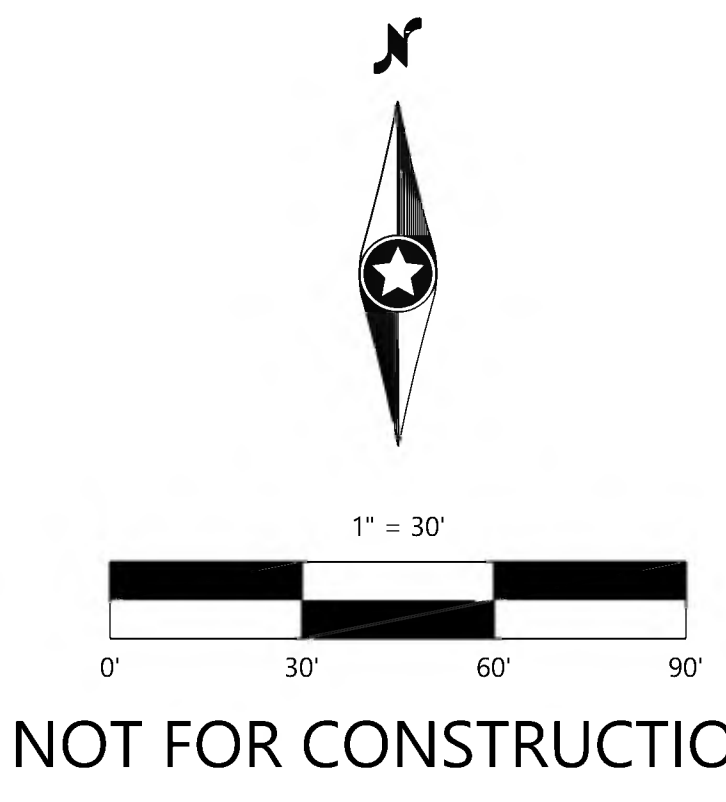
I-394 DISTRICT LANDSCAPE REQUIREMENTS:
 • ALL EFFORTS SHALL BE TAKEN TO PRESERVE EXISTING NATURAL FEATURES
 • A MINIMUM LANDSCAPE PLAN INVESTMENT OF 2 PERCENT OF TOTAL PROJECT VALUE IS REQUIRED.
 • DECIDUOUS TREES WILL NOT BE LESS THAN 2 IN BUT NOT MORE THAN 4 IN CALIPER, CONIFEROUS TREES WILL NOT BE LESS THAN 6 FT BUT NOT MORE THAN 8 FT IN HEIGHT.

PARKING LOT LANDSCAPE REQUIREMENTS:
 • ONE TREE FOR EACH 15 SURFACE PARKING SPACES.

TREES REQUIRED= 5 (65/15=4.33)
 TREES PROVIDED= 121
 (29 PROPOSED CONIFEROUS TREES + 68 PROPOSED DECIDUOUS TREES + 24 PROPOSED ORNAMENTAL TREES)

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

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



DESIGNED	03/06/2023
CHECKED	
APPROVED	
DATE	03/01/2023
PROJECT	CITY RESUBMITTAL
SCALE	
SCALE	

PREPARED FOR:
WALSER REAL ESTATE, LLC
 7700 FRANCE AVENUE SOUTH, SUITE 41N
 EDINA, MN 55435

I HEREBY CERTIFY THAT THE PLAN WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA
 JEFF WESTERHOODS
 DATE: 03/01/2023 LICENSE NO. _____

WALSER KIA MINNETONKA
 MINNETONKA, MN

Westwood
 12701 Whittaker Drive, Suite #200
 Minneapolis, MN 55423
 Phone: (612) 837-2150
 Fax: (612) 837-2222
 www.westwoodps.com
 Westwood Professional Services, Inc.

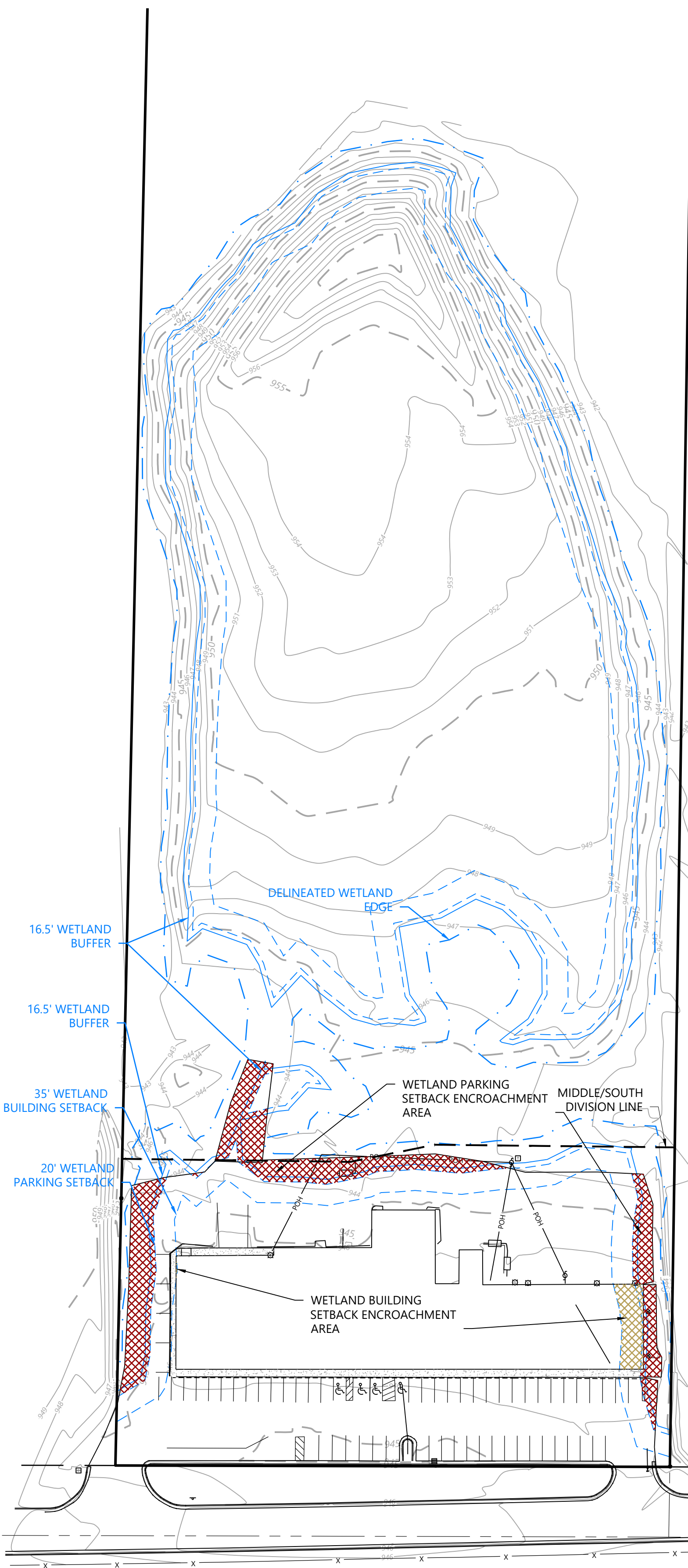
LANDSCAPE PLAN

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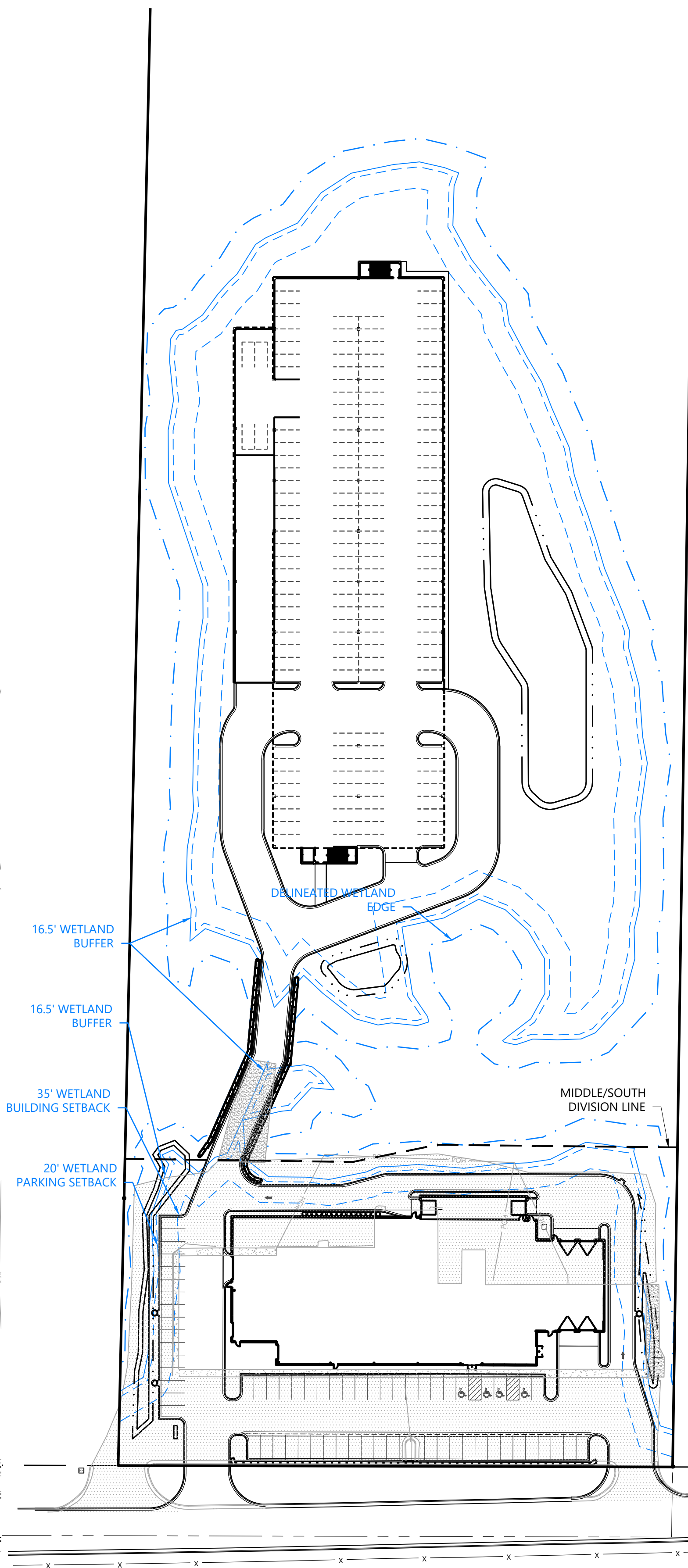
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DATE: 08/01/2023

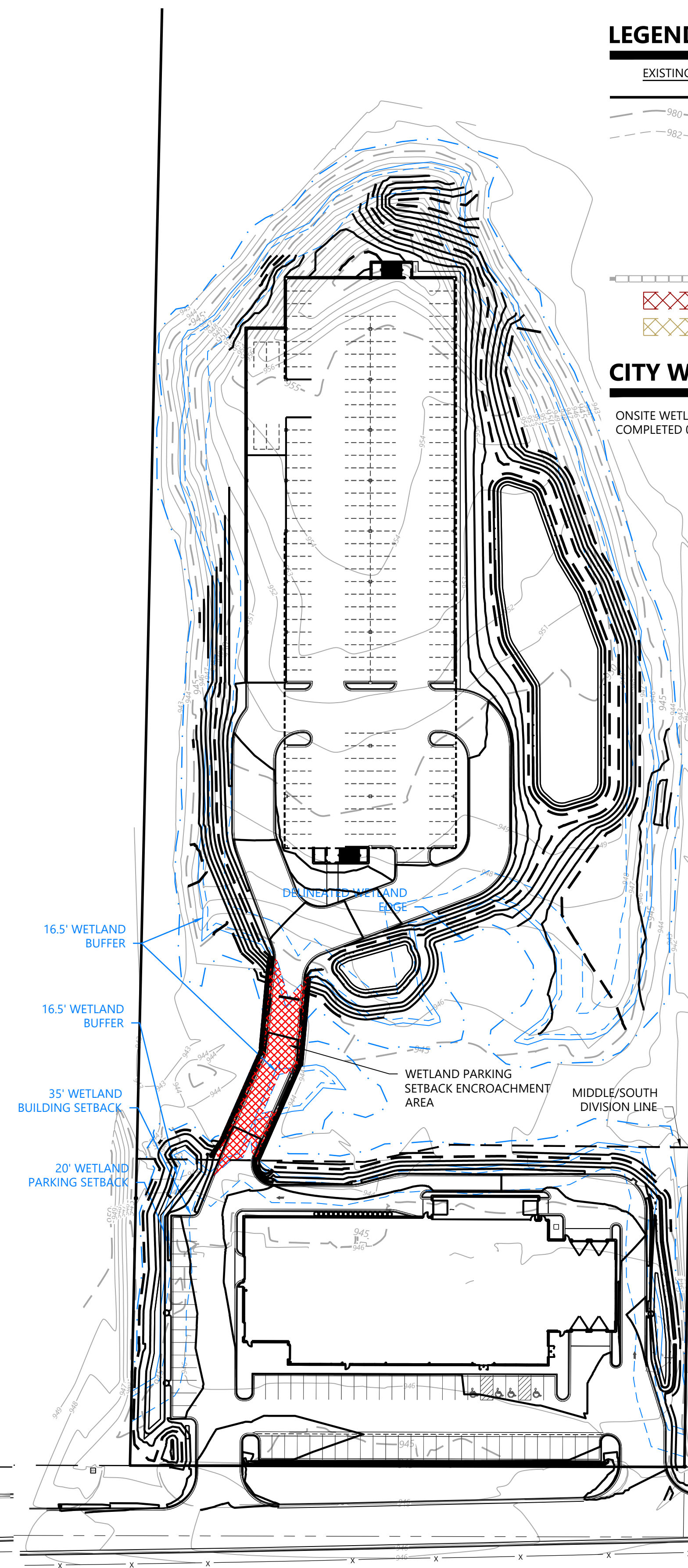
PROJECT NUMBER: 0036502.00



EXISTING CITY WETLAND SETBACK AREAS



PROPOSED SITE OVERLAY ON EXISTING CONDITIONS



PROPOSED CITY WETLAND SETBACK AREAS

LEGEND

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

CITY WETLAND BUFFER AREA SUMMARY

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

WETLAND SETBACK ENCROACHMENT AREA	EXISTING	PROPOSED
PRKG SETBACK MIDDLE	1,605 SF	3,990 SF
PRKG SETBACK SOUTH	6,880 SF	0 SF
PRKG SETBACK TOTAL	8,485 SF	3,990 SF
BLDG SETBACK TOTAL	1,046 SF	0 SF

NOTE - A VARIANCE WITH CITY OF MINNETONKA WILL BE PURSUED

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

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

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

PROPOSED SITE PLAN

WALSER KIA
MINNETONKA, MN

Westwood
12701 Winnetka Drive, Suite #800
Minnetonka, MN 55343
Phone: (888) 937-5150
Fax: (888) 937-5150
Toll Free: (888) 937-5150
westwoodps.com
Westwood Professional Services, Inc.

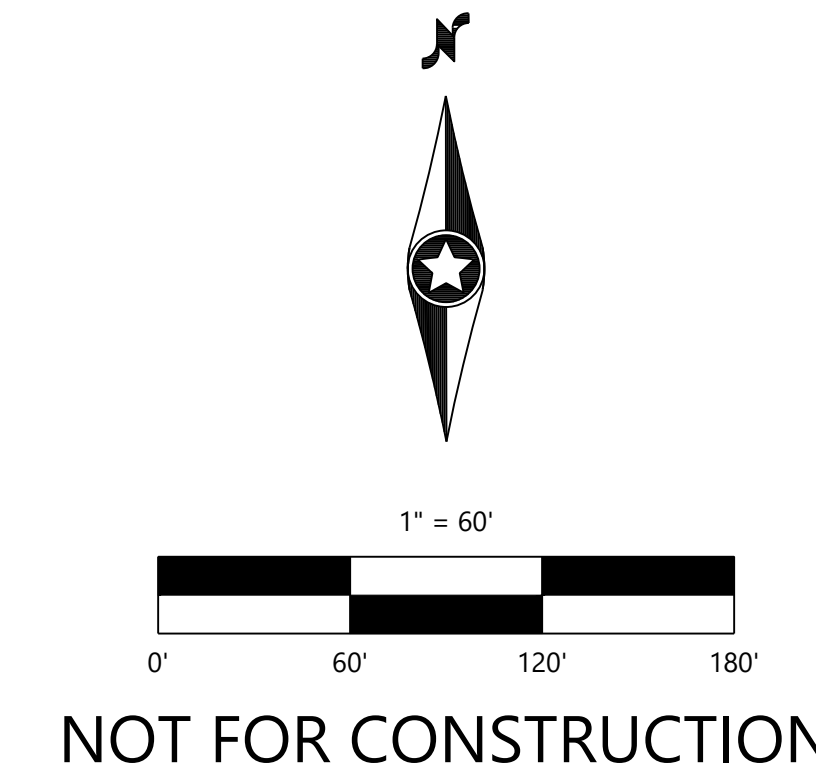
CITY WETLAND SETBACK AREAS

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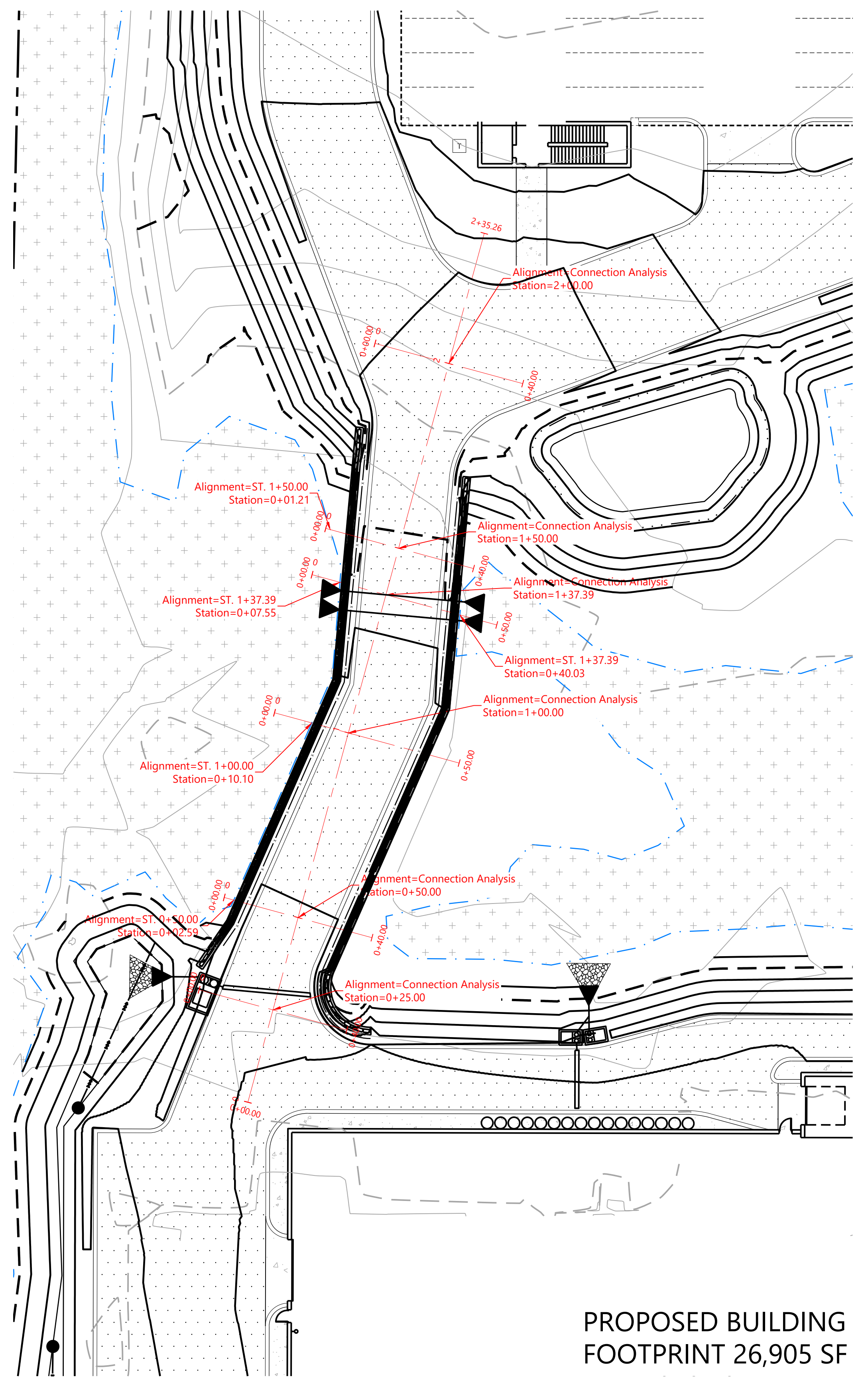
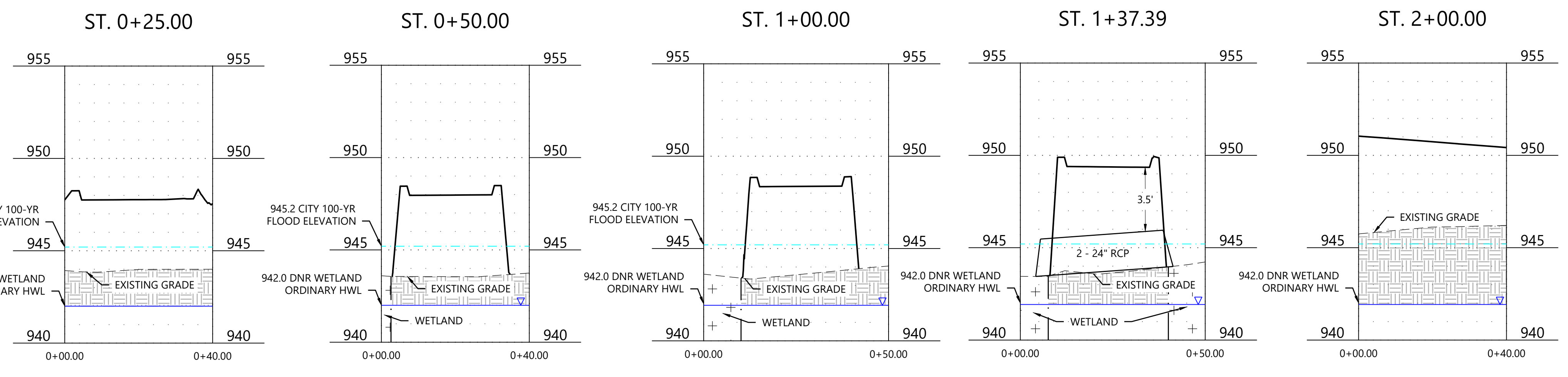
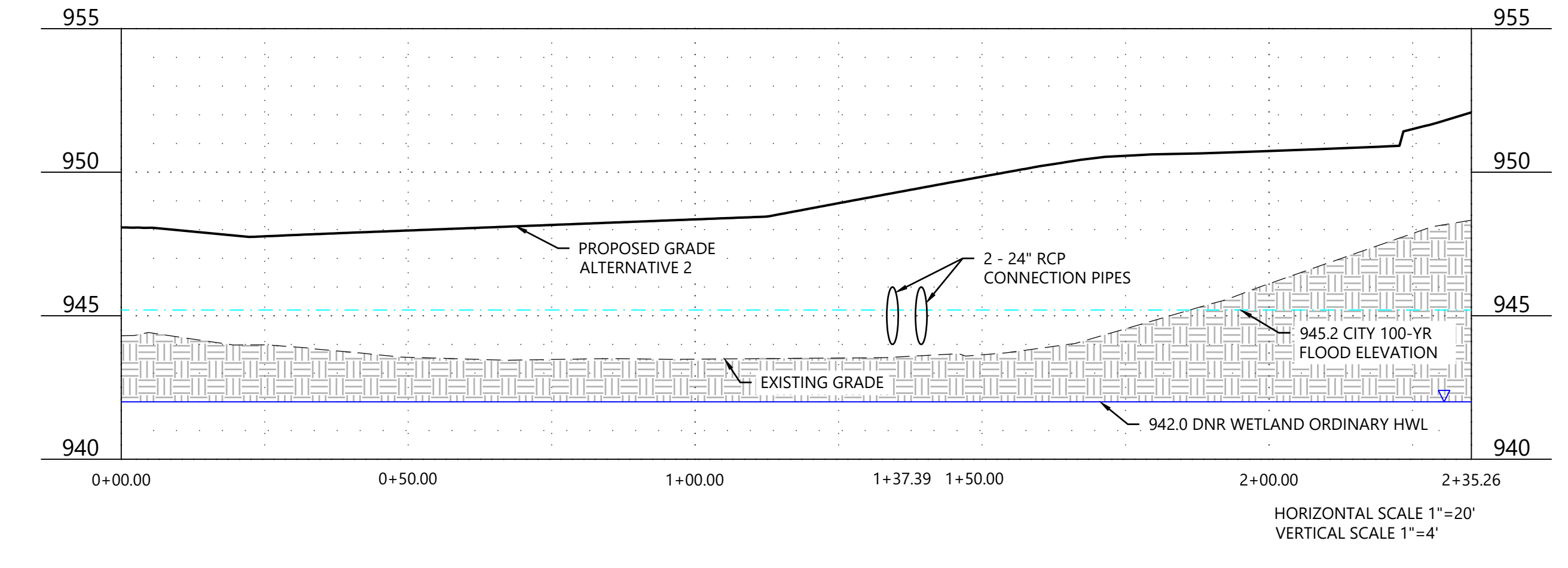
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DATE: 08/01/2023

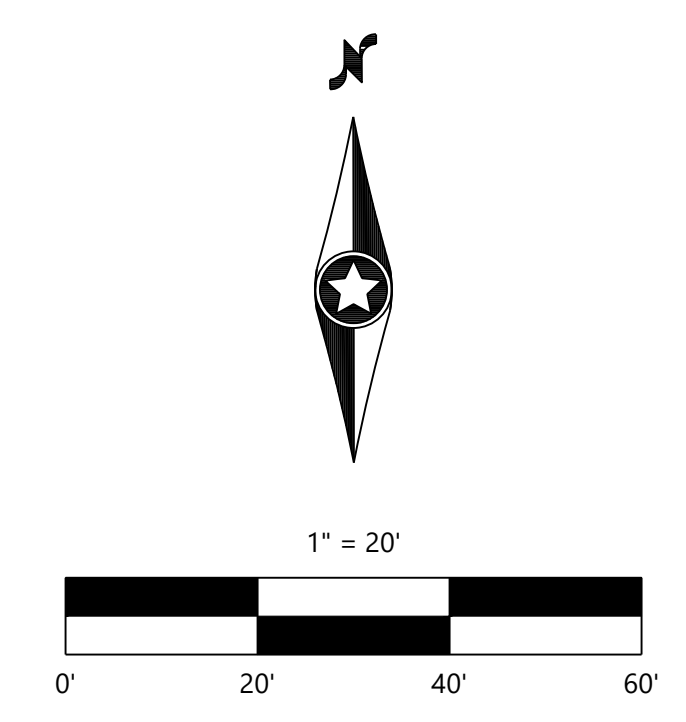
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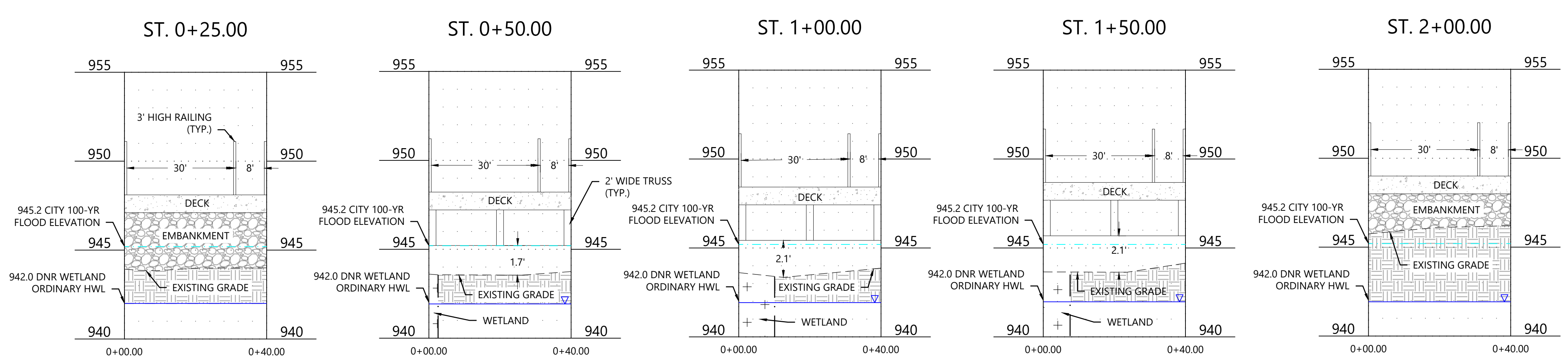
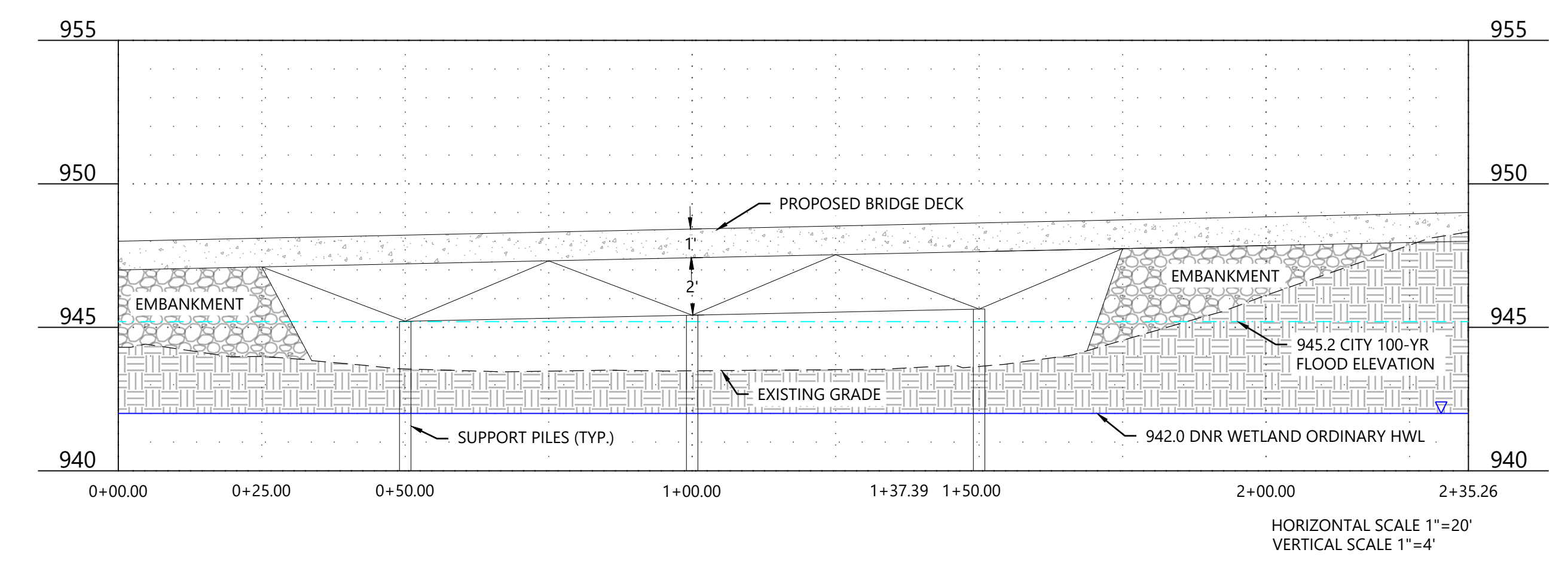
CAUSEWAY



PROPOSED BUILDING
FOOTPRINT 26,905 SF



BRIDGE



NOT FOR CONSTRUCTION

DESIGNED:	
CHECKED:	
DRAWN:	
APPROVED:	
DATE:	08/01/2023

PREPARED FOR:
WALSER REAL ESTATE, LLC
7700 FRANCE AVENUE SOUTH, SUITE 41N
EDINA, MN 55435

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND I AM A LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.
DATE: 08/01/2023 LICENSE NO. _____

WALSER KIA MINNETONKA
MINNETONKA, MN

Westwood
12700 Whittaker Drive, Suite B200
Minnetonka, MN 55343
Phone: (952) 837-2100
Fax: (952) 837-2022
www.westwoodps.com
Westwood Professional Services, Inc.

BRIDGE ANALYSIS

SHEET NUMBER:
1

DATE: 08/01/2023
PROJECT NUMBER: 0036502.00

WALSER KIA MINNETONKA

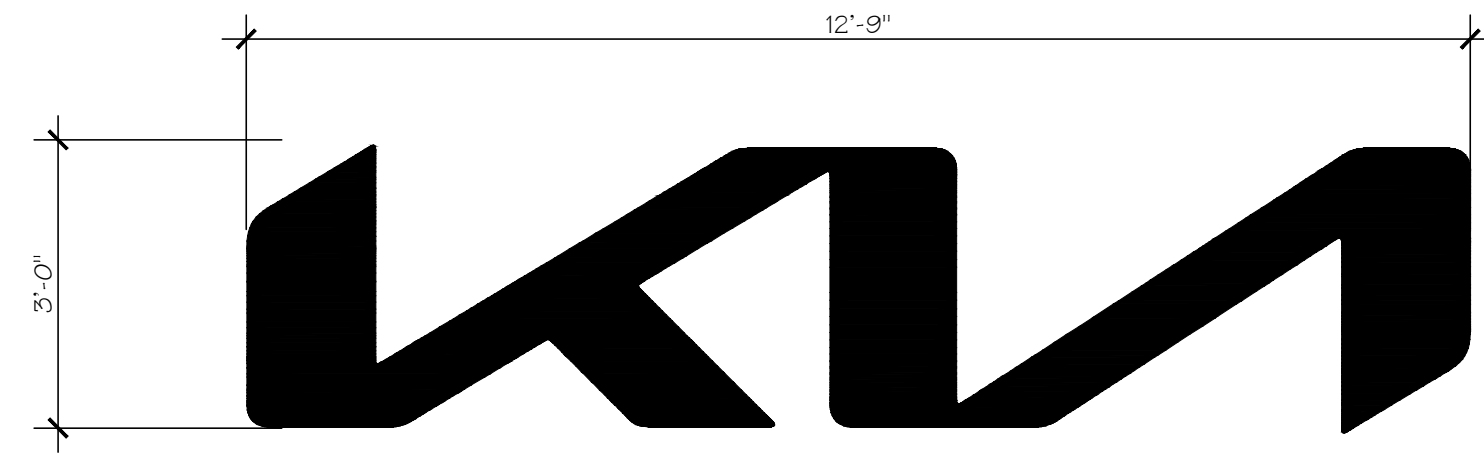


EG-1 FRONT LOGO (38,25 SF)
 THE EG-1 FRONT LOGO IS FABRICATED ALUMINUM PAINTED KIA METALLIC SILVER WITH 2" DEEP ALUMINUM RETURNS AND BACKLIT.

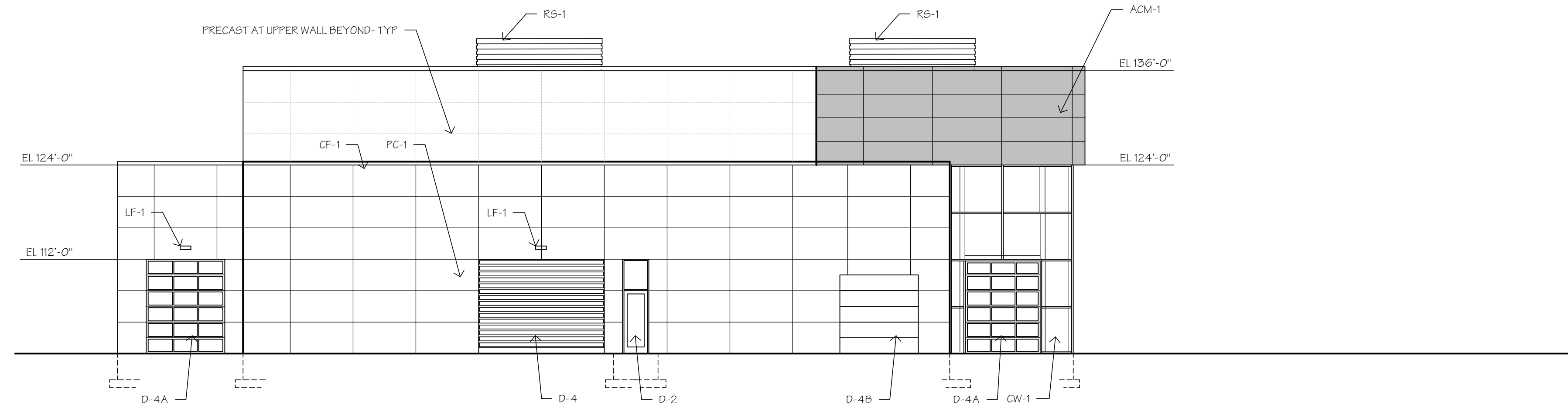
EG-2 SIDE LOGO (38,25 SF)
 THE EG-2 SIDE LOGO IS FABRICATED ALUMINUM PAINTED KIA METALLIC SILVER WITH 2" DEEP ALUMINUM RETURNS AND BACKLIT.

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

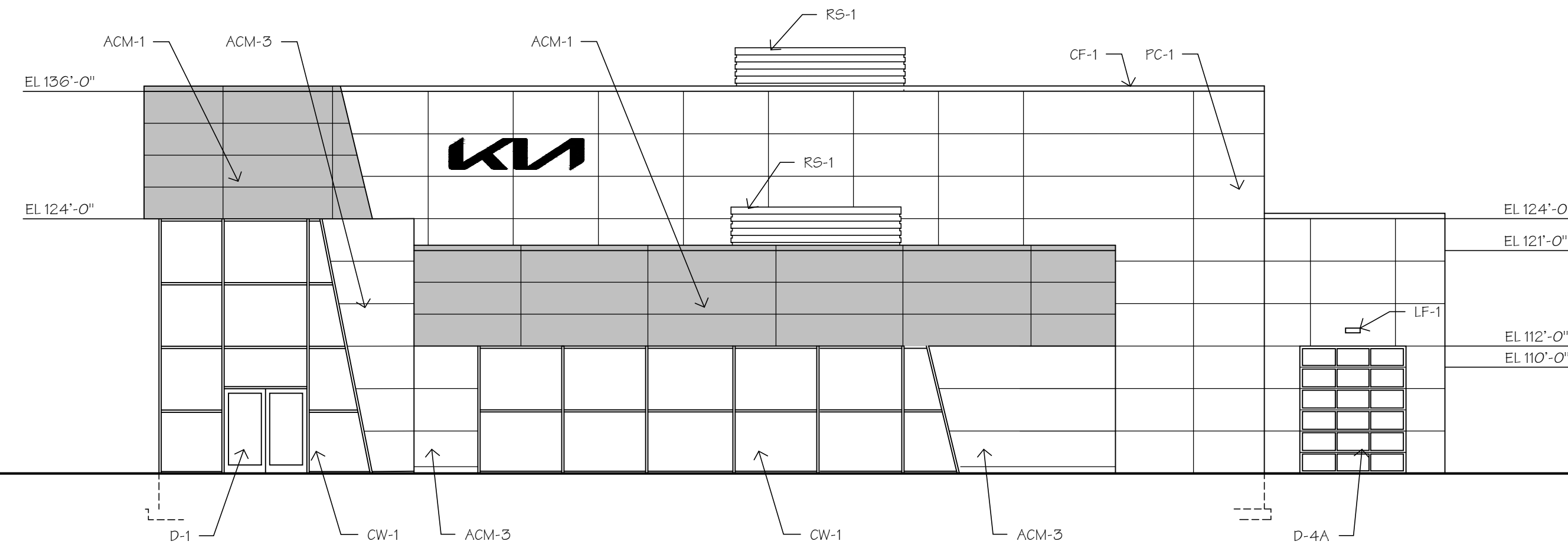
EG-4 SERVICE SIGN (26,5 SF)
 THE EG-4 "SERVICE" IS AN INTERNALLY ILLUMINATED CAN SIGN. THE FACE IS KIA METALLIC SILVER PERFORATED VINYL THAT WILL ILLUMINATE WHITE AT NIGHT AND HAS 3" DEEP ALUMINUM RETURNS THAT ARE FLUSH MOUNTED TO THE FACADE.



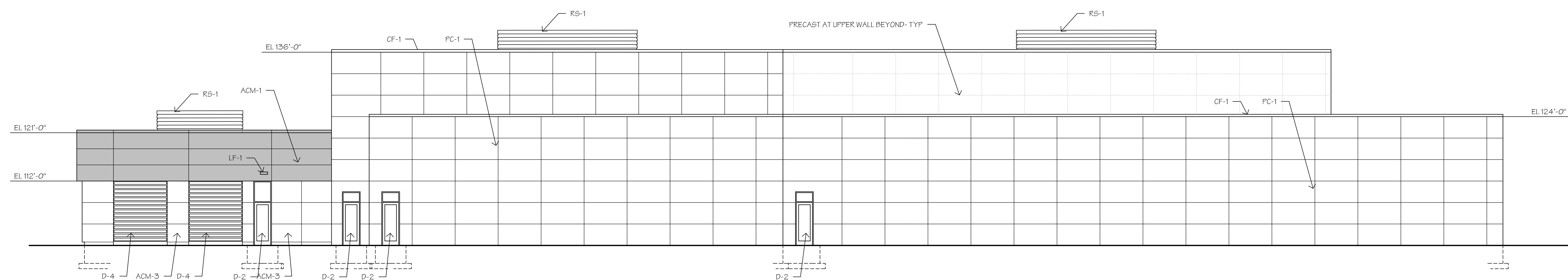
5 BUILDING SIGNS
 A3.0 1/2"=1'-0"



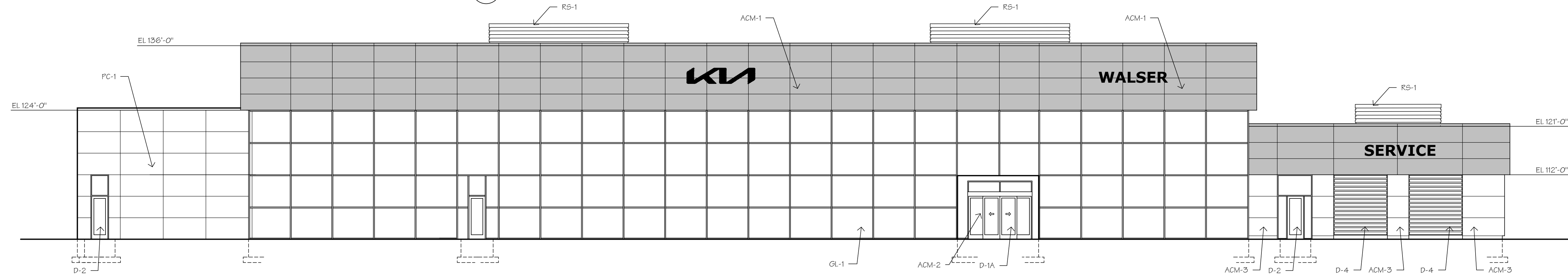
4 WEST ELEVATION
 A3.0 3/32"=1'-0"



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



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



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

KEY

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

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

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PHILLIPS ARCHITECTS & CONTRACTORS, LTD.

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 E-mail: dphillips@phillipsarchitects.com

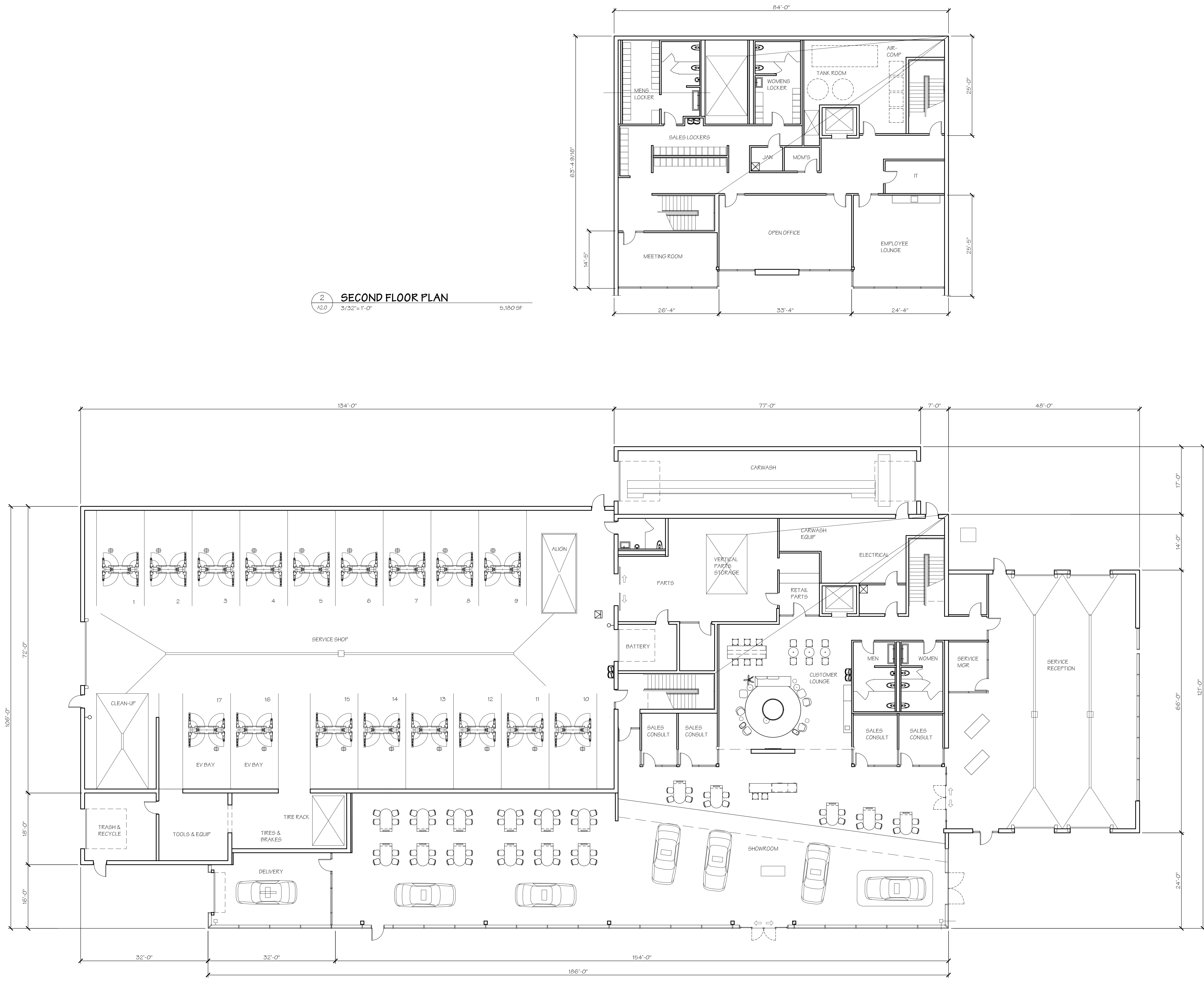
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 David A. Phillips

DATE: REG. NO. 17387
 ISSUE/REVISION: 3/6/2023 ZONING 4/29/2023 SUBMITTAL REV

DRAWN BY: DAP
 CHECKED BY: DAP
 PROJECT NO.:

EXTERIOR ELEVATIONS

A3.0



2 SECOND FLOOR PLAN
 A2.0 3/32"=1'-0" 5,180 SF

1 FLOOR PLAN
 A2.0 3/32"=1'-0" 26,909 SF

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

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 Suite 450
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 PH (612) 969-1261
 E-mail: dphillips@phillipsarchitects.com

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 David A. Phillips

DATE: _____ REG. NO. 17387
 ISSUE/REVISION:
 4/28/2023 CITY SUBMITTAL REV
 7/18/2023 CITY SUBMITTAL REV 2

DRAWN BY: _____
 CHECKED BY: DAP
 PROJECT NO.:

PRELIMINARY FLOOR PLAN

A2.0



EAST ELEVATION



2023 NEW SHOWROOM FOR:

WALSER KIA

HIGHWAY 394
MINNETONKA, MINNESOTA

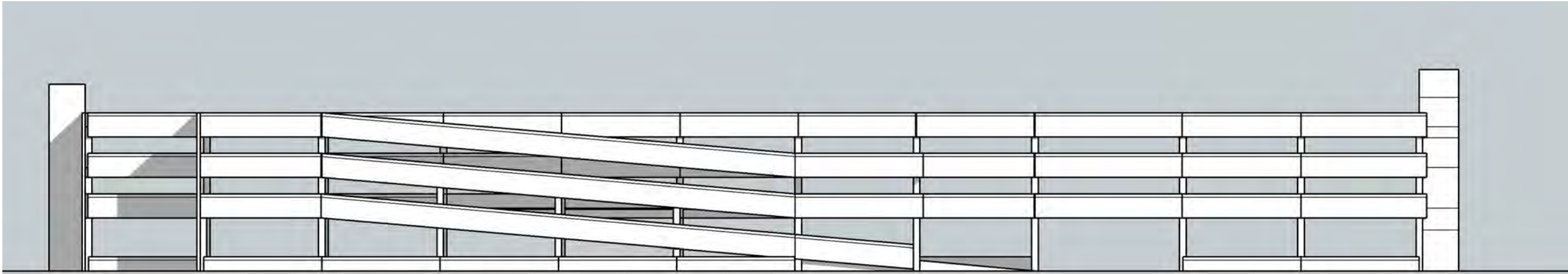


401 NORTH 3RD STREET
SUITE 450
MINNEAPOLIS, MN 55401

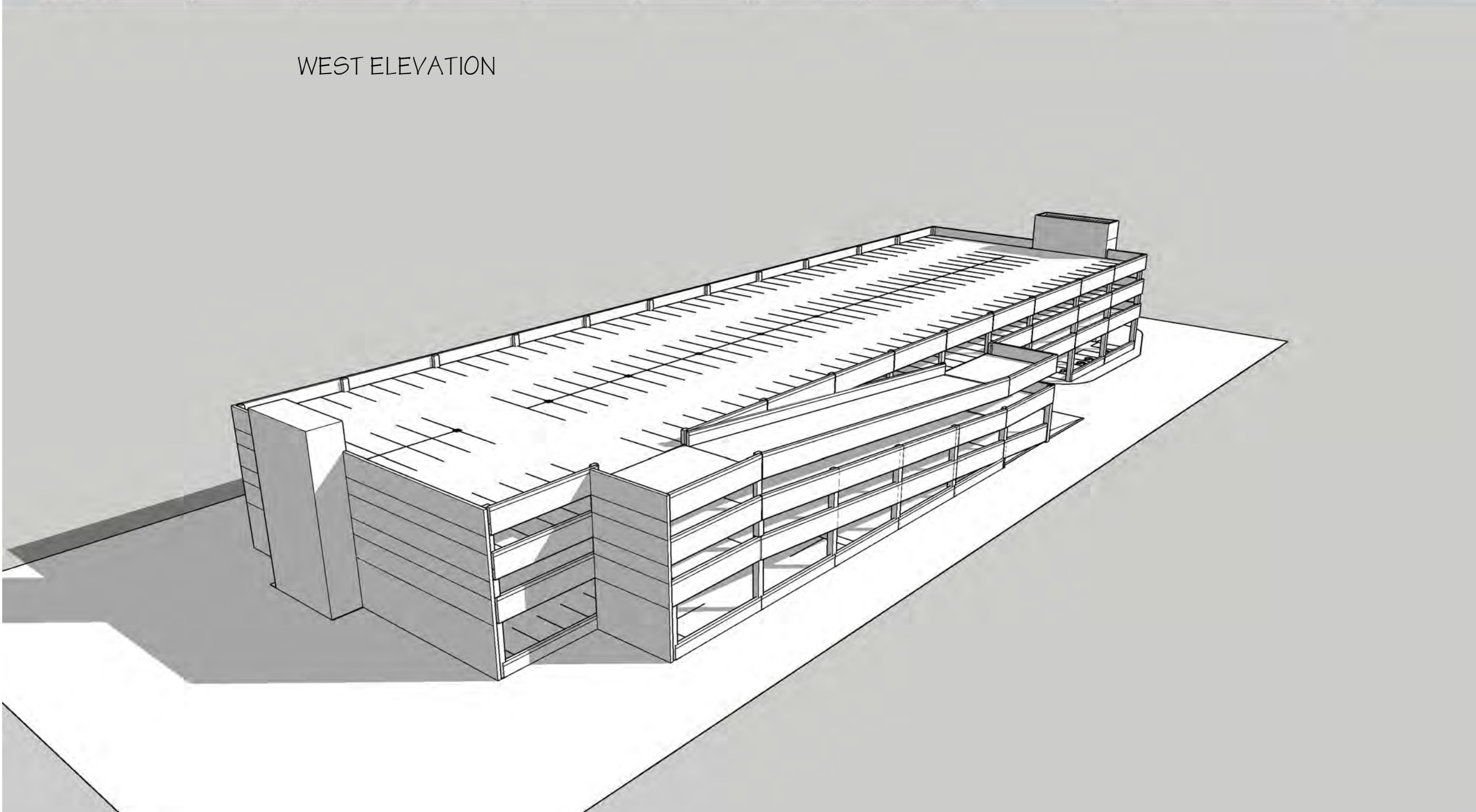
DATE: 7/17/2023

PRELIMINARY
DESIGN

A3.1



WEST ELEVATION



2023 NEW SHOWROOM FOR:

WALSER KIA

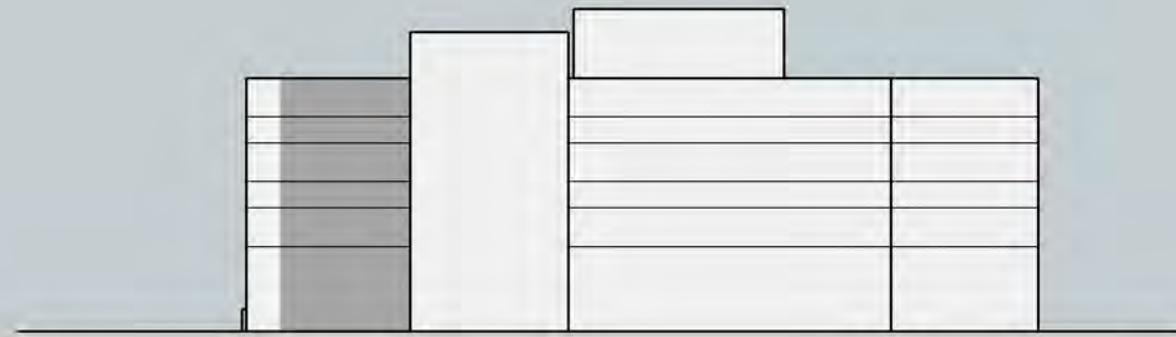
HIGHWAY 394
MINNETONKA, MINNESOTA

 **PHILLIPS
ARCHITECTS**
401 NORTH 3RD STREET
SUITE 450
MINNEAPOLIS, MN 55401

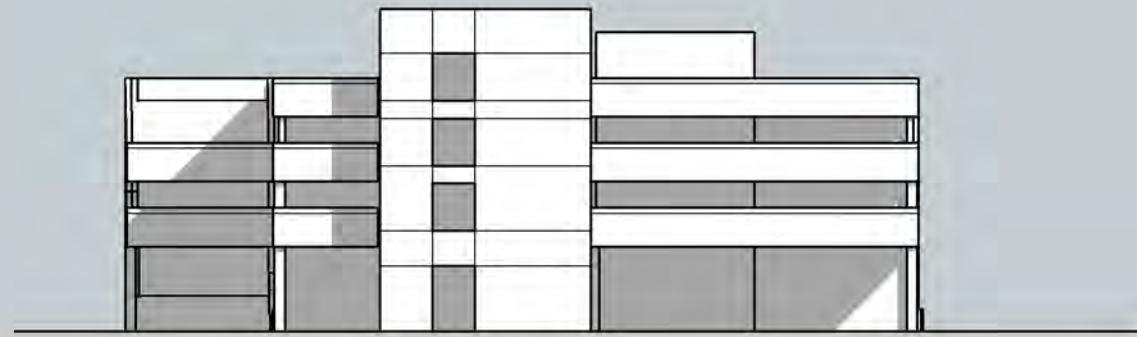
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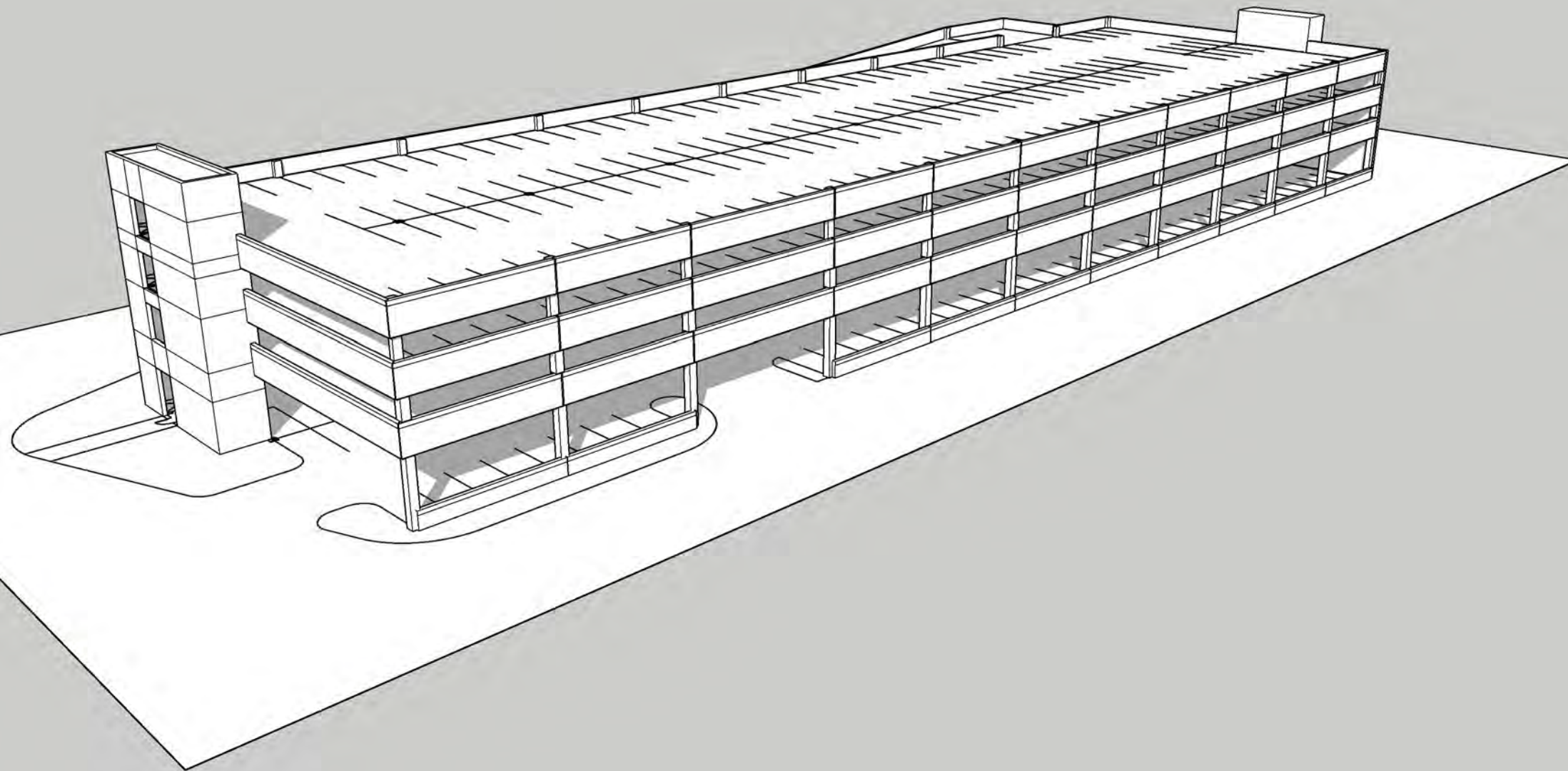
A3.2



NORTH ELEVATION



SOUTH ELEVATION



2023 NEW SHOWROOM FOR:

WALSER KIA

HIGHWAY 394
MINNETONKA, MINNESOTA

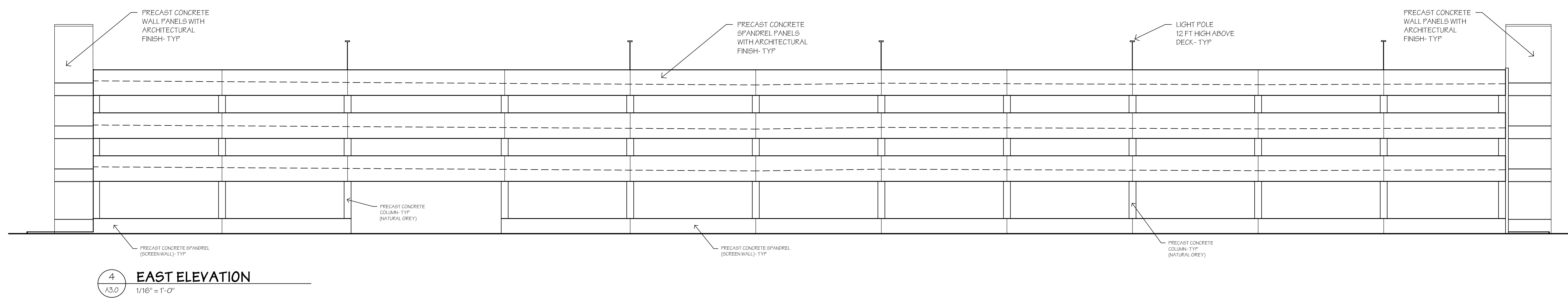


401 NORTH 3RD STREET
SUITE 450
MINNEAPOLIS, MN 55401

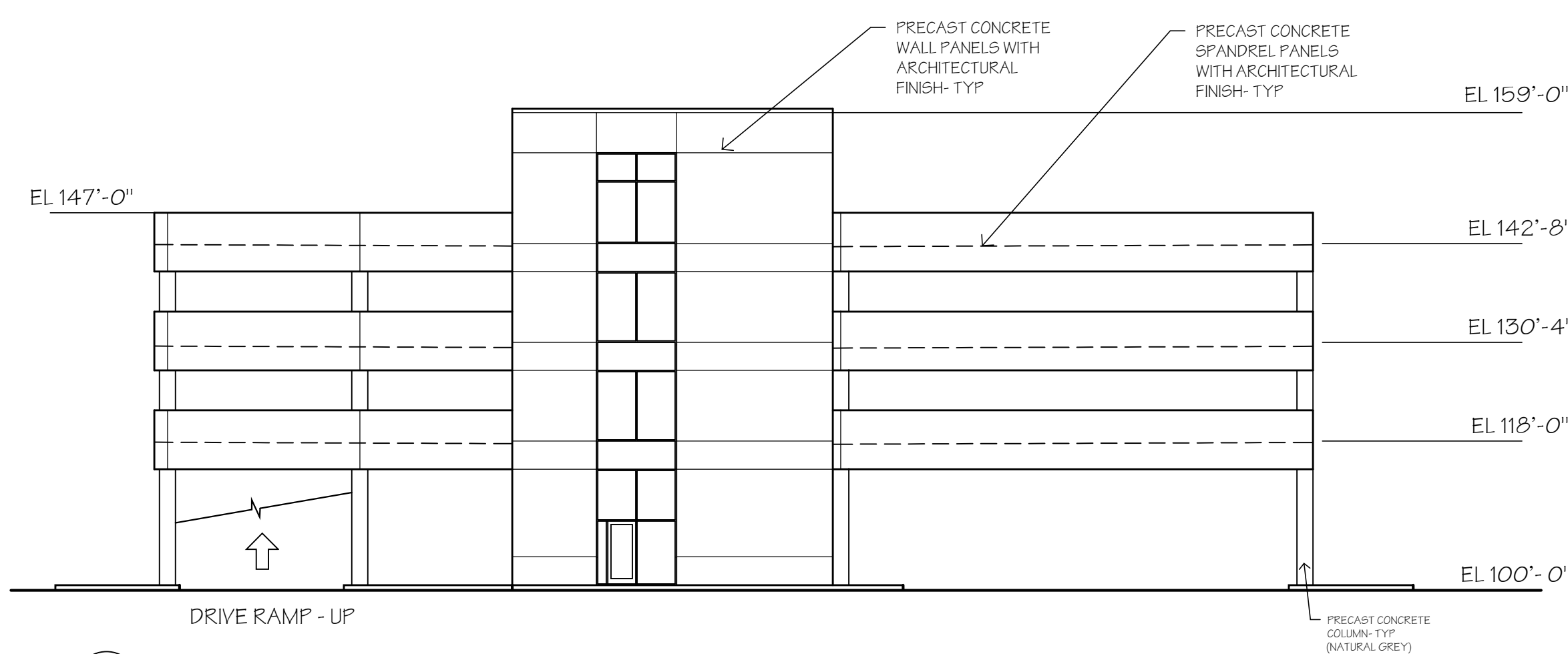
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PRELIMINARY
DESIGN

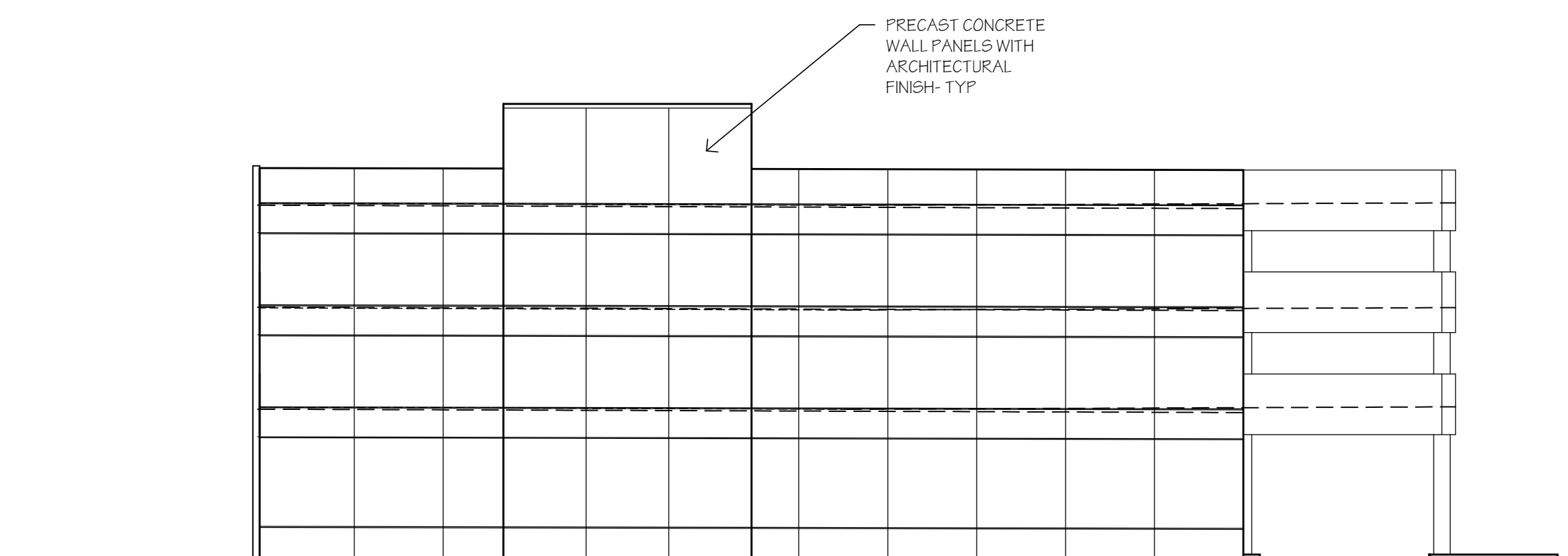
A3.2



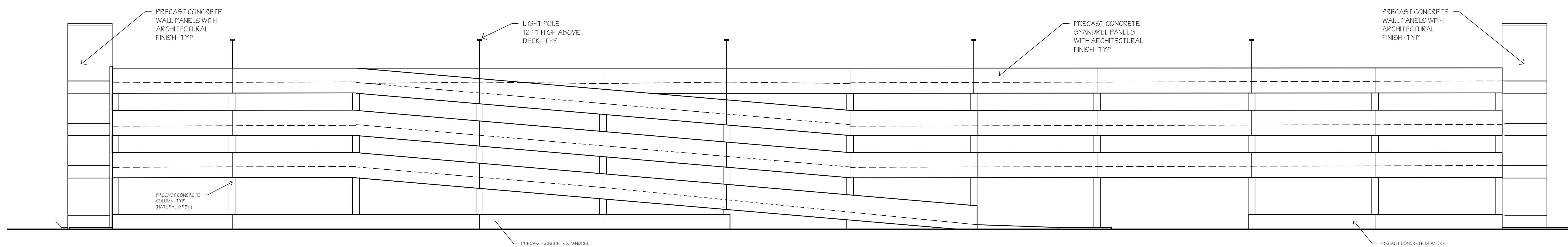
4 EAST ELEVATION
A3.0 1/16" = 1'-0"



2 SOUTH ELEVATION
A3.0 1/16" = 1'-0"



3 NORTH ELEVATION
A3.0 1/16" = 1'-0"



1 WEST ELEVATION
A3.0 1/16" = 1'-0"

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

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Ph. (612) 868-1261
E-mail: philips@phillipsarchitects.com

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David A. Phillips

DATE: REG. NO. 17387

ISSUE/REVISION:
7/24/2023 REVIEW

DRAWN BY:
CHECKED BY: DAF
PROJECT NO.:

RAMP ELEVATIONS

A3.8

2023 NEW BUILDING FOR:
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 WAYZATA BLVD
 MINNETONKA, MINNESOTA

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**PHILLIPS
 ARCHITECTS &
 CONTRACTORS, LTD.**

401 North Third Street
 Suite 450
 Minneapolis, MN 55401
 Ph: (612) 868-1261
 E-mail: dphillips@phillipsarchitects.com

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

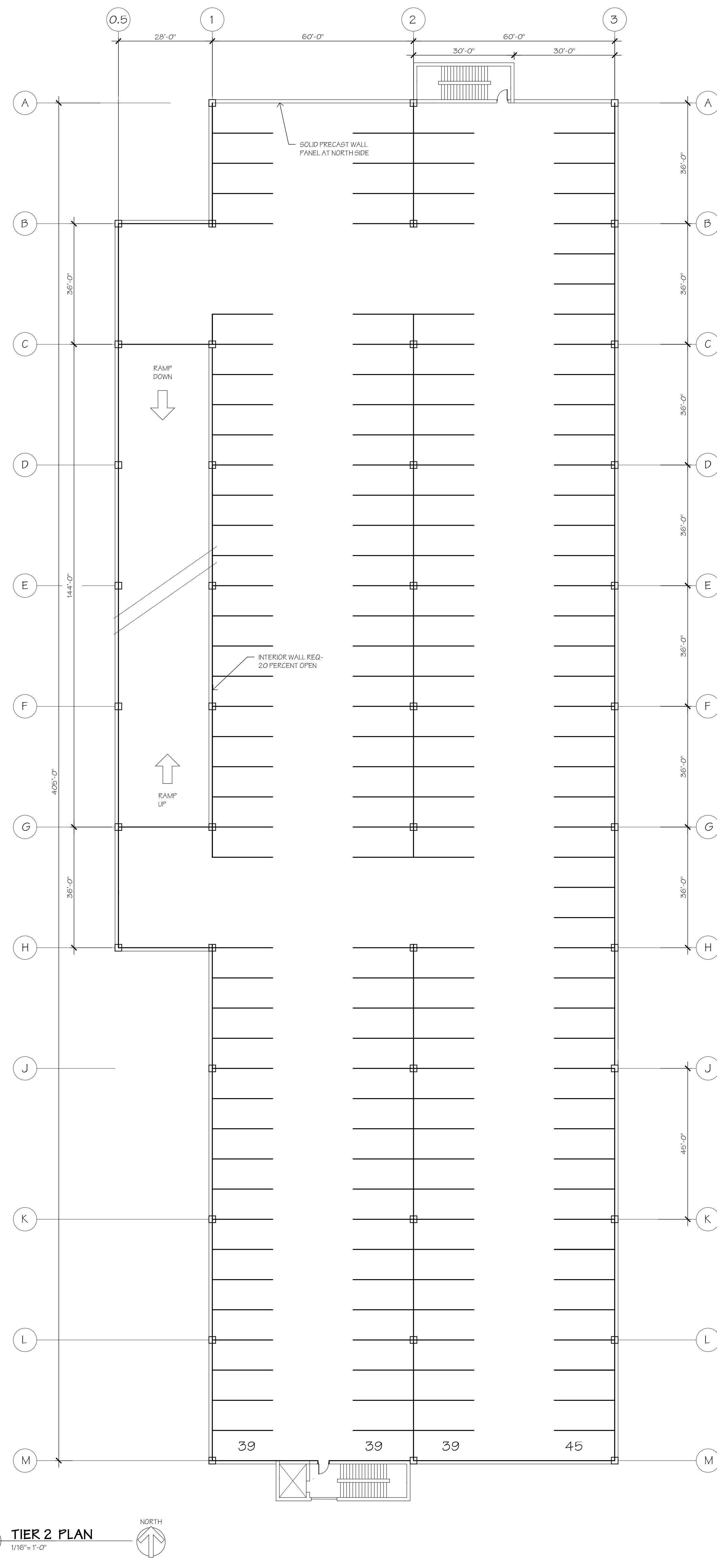
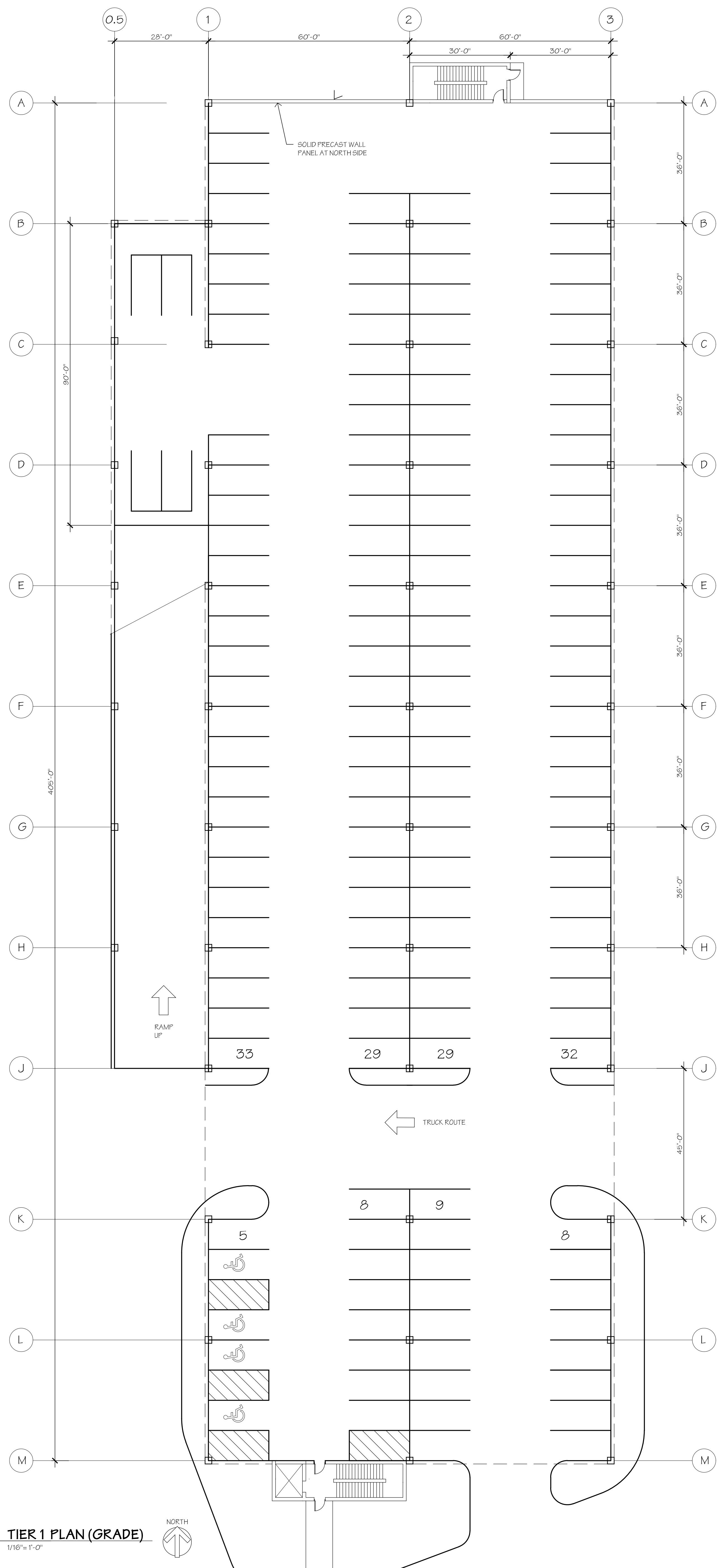
DATE: REG. NO. 17387

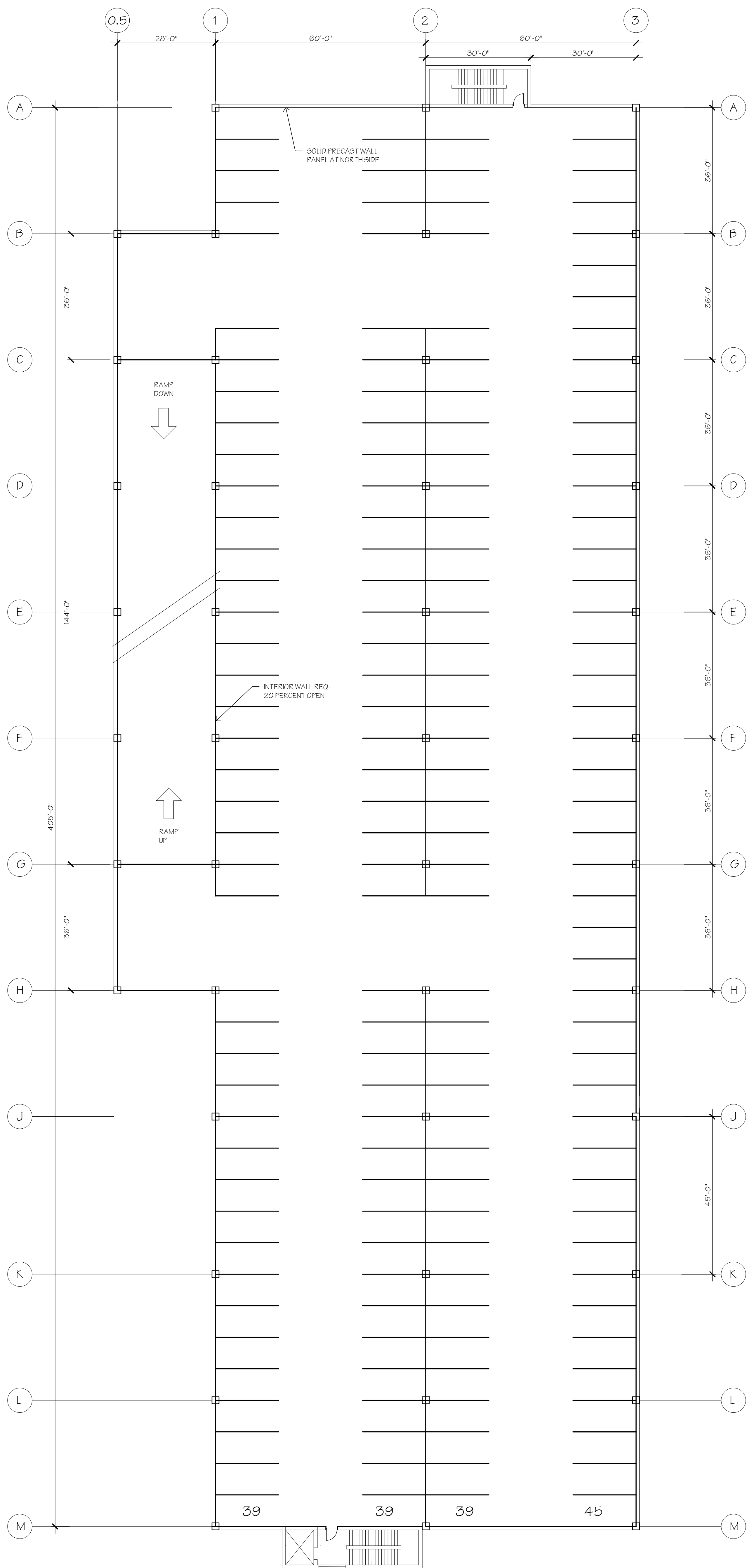
ISSUE/REVISION: 2023 REVIEW

DRAWN BY: CHECKED BY: DAP PROJECT NO.:

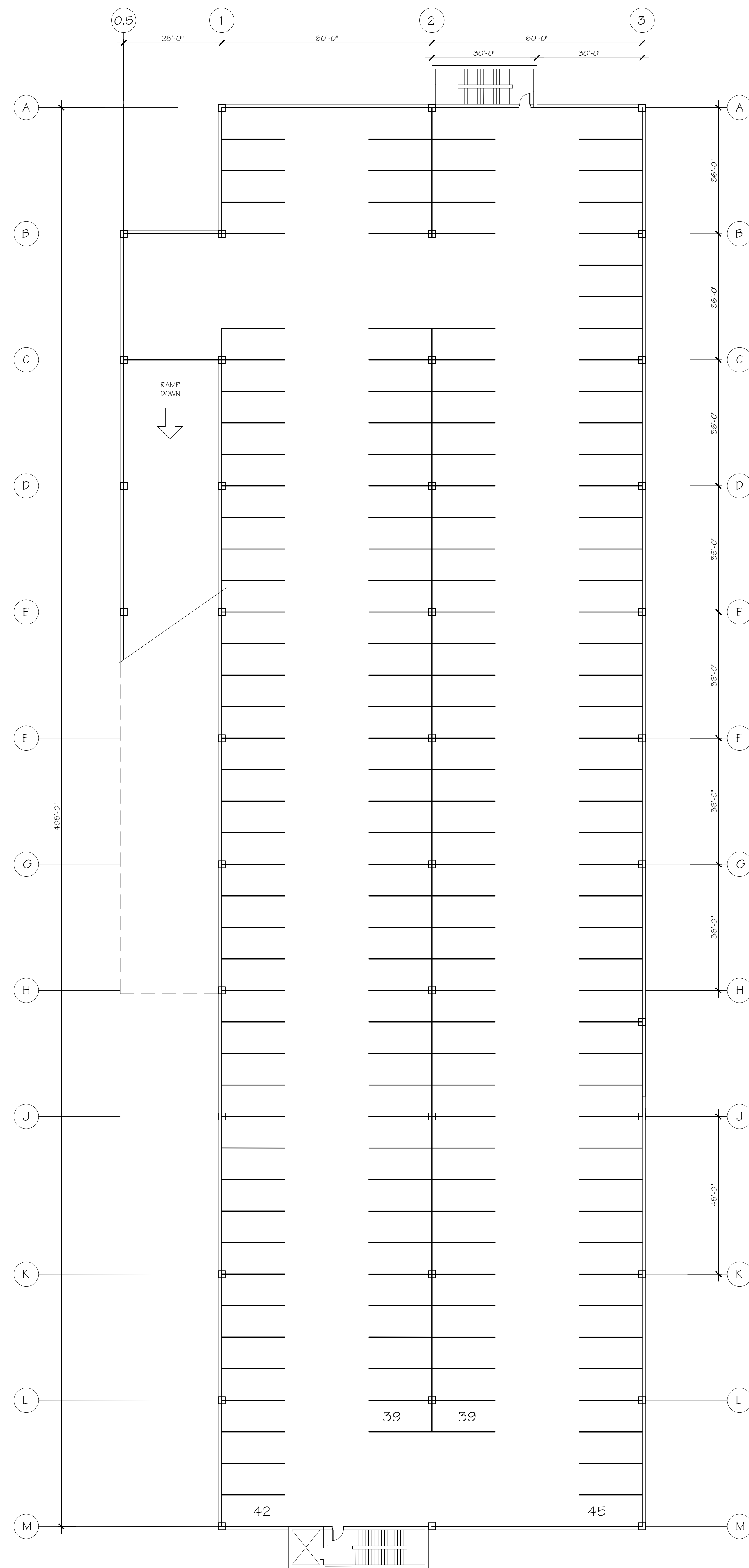
**PRELIMINARY
 RAMP PLAN**

A2.8





1 TIER 3 PLAN
1/16" = 1'-0"



2 TIER 4 PLAN
1/16" = 1'-0"



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

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David A. Phillips

DATE: REG. NO. 17387

ISSUE/REVISION: 2023 REVIEW

DRAWN BY: CHECKED BY: DAP PROJECT NO.:

PRELIMINARY RAMP PLAN

A2.8

Resolution No. 2023-

Resolution approving preliminary and final plats, combining the properties at 15700 and 15724 Wayzata Blvd.

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

Section 1. Background.

- 1.01 Walser Real Estate, LLC has requested approval of preliminary and final plats to combine the properties located at 15700 and 15724 Wayzata Blvd.
- 1.02 The properties are legally described on Exhibit A of this resolution.
- 1.03 On Sept. 18, 2023, the planning commission held a hearing on the proposed plat. 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 grant preliminary and final 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 plats meet the design requirements as outlined in City Code §400.030.

Section 4. Council Action.

- 4.01 The above-described plats are hereby approved, subject to the following conditions:

- 1. Prior to the release of the final plat for recording, submit the following:

- a) A final plat drawing that clearly illustrates the following:
 - 1. A minimum 10-foot wide drainage and utility easements adjacent to the public right-of-way 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.
 - b) Title evidence that is current within thirty days before the release of the final plat for the city attorney's review and approval.
 - c) Two sets of mylars for city signatures.
 - d) An electronic CAD file of the plat in microstation or DXF.
2. The final plat must be recorded by Sept. 18, 2024, unless the city council has received and approved a written application for a time extension. If neither occurs by this date, this approval will be null and void.

Adopted by the City Council of the City of Minnetonka, Minnesota, on Sept. 18, 2023.

Brad Wiersum, Mayor

Attest:

Becky Koosman, City Clerk

Action on this resolution:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

Absent:

Resolution adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Minnetonka, Minnesota, at a duly authorized meeting held on Sept. 18, 2023.

Becky Koosman, City Clerk

EXHIBIT A*Parcel 1:*

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

*Hennepin County, Minnesota
Abstract Property*

Parcel 2:

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

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

*Hennepin County, Minnesota
Abstract Property*

Parcel 3:

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

*Hennepin County, Minnesota
Abstract Property*

Ordinance No. 2023-

**An ordinance adopting a master development plan for an automobile dealership
at 15700 and 15724 Wayzata Blvd.**

The City Of Minnetonka Ordains:

Section 1.

- 1.01 The subject properties are located at 15700 and 15724 Wayzata Blvd.
- 1.02 The properties are legally described on Exhibit A of this resolution.
- 1.03 Walser Real Estate LLC has requested approval of a master development for the redevelopment of the subject property. The master development plan includes an existing commercial center and construction of new automobile dealership and associate parking ramp.
- 1.04 Under City Code §300.31 Subd.8(b), master development plan may only be approved by ordinance.

Section 2.

- 2.01 This ordinance is based on the following findings:
1. The proposal is consistent with the properties' mixed-use designation in the 2040 Comprehensive Guide Plan.
 2. The proposal would not negatively impact the public health, safety, or general welfare.
- 2.02 This ordinance is subject to the following conditions:
1. The plans listed below are hereby adopted as the master development plan for the site. The site must be developed and maintained in substantial conformance to these plans, except as modified by other conditions below:
 - Site Plan, city resubmittal date Aug. 1, 2023
 - Overall Grading Plan, city resubmittal date Aug. 1, 2023

- Erosion Control Plan city resubmittal date Aug. 1, 2023
- Utilities Plan, city resubmittal date Aug. 1, 2023
- Tree Preservation Plan, city resubmittal date Aug. 1, 2023
- Landscaping Plan, city resubmittal date Aug. 1, 2023
- Dealership Building Elevations, dated April 28, 2023
- Dealership Building Floor Plan, dated July 18, 2023
- Parking Ramp Elevations, Dated July 24, 2023

2. The development must further comply with all conditions outlined in City Council Resolution No. _____ adopted by the Minnetonka City Council on Sept. 18, 2023.

Section 3. A violation of this ordinance is subject to the penalties and provisions of Chapter XIII of the city code.

Section 4. This ordinance is effective only upon the proper recording of a final plat or lot combination.

Adopted by the city council of the City of Minnetonka, Minnesota, on, Sept. 18, 2023.

Brad Wiersum, Mayor

Attest:

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 true and correct copy of an ordinance adopted by the city council of the City of Minnetonka, Minnesota at a regular meeting held on Sept. 18, 2023.

Becky Koosman, City Clerk

EXHIBIT A

Parcel 1:

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

*Hennepin County, Minnesota
Abstract Property*

Parcel 2:

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

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

*Hennepin County, Minnesota
Abstract Property*

Parcel 3:

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

*Hennepin County, Minnesota
Abstract Property*

Resolution No. 2023-

Resolution approving a conditional use permit for an automobile-related use having service bays at 15700 and 15724 Wayzata Blvd.

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

Section 1. Background.

- 1.01 The subject property is located at 15700 and 15724 Wayzata Blvd. It is legally described in Exhibit A of this resolution.
- 1.02 Walser Real Estate, LLC. has submitted formal applications for the redevelopment of the subject property. As proposed, an existing commercial center would be removed, and a new automobile dealership and associate parking ramp would be constructed. Automobile-related use having service bays are conditionally permitted within the Planned I-394 District (PID).
- 1.03 On Sept. 18, 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 the city council approve the conditional use permit.

Section 2. Standards

- 2.01 By City Code §300.31 Subd.4(b)(2), a conditional use permit will be issued only if the city finds that the specific conditional use permit standards are met, that the use is in the best interest of the city, that the use is compatible with other nearby uses, and that the use is consistent with other requirements of this ordinance.
- 2.02 City Code §300.31 Subd.4(b)(2)(i) outlines specific conditional use permit standards for service stations and other automobile-related uses having service bays on property designated for retail use. These standards are incorporated by reference into this resolution.

Section 3. Findings

- 3.01 The proposal would meet the general conditional use permit standards, as outlined in City Code §300.31 Subd.4(b)(2):

1. The proposal would meet specific conditional use permit standards. Compliance is outlined in Section 3.02 below.
2. The general use is not contrary to the best interest of the city. The subject site is currently occupied by a 50+-year-old, non-conforming building and parking lot. Given this, the PID ordinance anticipates redevelopment of the site.
3. A vehicle dealership is an appropriate use for the subject site. Within the general context of the I-394 and Highway 12 corridor, there are many existing dealerships in Minnetonka and in the neighboring communities.
4. Variances are required for floodplain setbacks, and wetland setbacks and buffers. These variances meet the variance standard as outlined in the associated site and building plan Resolution No. 2023-_____.

3.02 The proposal would meet the specific conditional use permit standards, as outlined in City Code §300.31 Subd.4(b)(2)(i):

1. As conditions of this resolution:
 - a) No unlicensed and inoperable vehicles may be stored on premises except in storage areas where the contents are completely screened from the view from nearby properties.
 - b) No repair, assembly, disassembly, and maintenance of vehicles may occur outside or within the parking ramp except for minor maintenance, such as inflating tires, adding oil, and replacing wipers.
 - c) No loudspeaker or public address system is allowed.
 - d) No public gas pumps are allowed.
 - e) All inventory and display vehicles located outside of a building or structure must be at finish grade level. No jack stands, risers, or other mechanisms may be used to elevate any vehicle for display purposes;
 - f) Class II motor vehicle sales (used car sales) are allowed only as an accessory part of the new car sales;
 - g) The sale of vehicles may occur during the times and days allowed by state law;
 - h) Vehicles must not be displayed in any yard area, drive aisle, or fire lane;
 - i) Parking lot and site security lighting:

- 1) Floodlighting on the north side of the dealership/service building or any side of the parking ramp is not allowed.
 - 2) Luminaires must be located in recessed or boxed fixtures to eliminate off-site direct views of the luminaire.
 - 3) Fixtures greater than 450 watts are not allowed.
 - 4) Light standards/poles may be no more than 30 feet in height south of the dealership/service building and no greater than 12 feet in height north of the building, including on the top level of the parking ramp.
 - 5) Be no greater than 1 watt per square foot surface parking area.
 - 6) Be designed to have 0.0 foot-candles at residential property lines with the understanding that ambient light from other sources may spill on the property and influence actual on-site measurements.
- j) Customer parking spaces must be clearly signed and may not be used at any time for inventory vehicle parking;
 - k) All pickups and drop-offs of vehicles must occur on-site and off public streets;
 - l) All loading and unloading of vehicles must occur on-site and off public streets.
 - m) Customer testing of vehicles may occur only on non-residential streets and only with a store employee;
 - n) All rooftop equipment must be fully screened from ground-level view of adjacent properties.
 - o) No signs are approved by this resolution. Signs require separate sign permits.
 - p) All trash and recyclable materials must be screened from public view.
2. The subject site is located in overlay district 6.
 3. Forty percent of the site would be considered impervious surface and would have a floor area ratio of 0.07.
 4. The proposed dealership/service building has been thoughtfully and attractively designed. The overall design and variety of exterior materials

would reflect a high level of investment. The exterior materials of the proposed ramp are intended to complement the dealership building. The applicant has indicated they are open to any color/toner for the proposed ramp. As a condition of this resolution, a materials board must be submitted for staff review and approval prior to the issuance of a building permit.

5. All of the vehicles north of the dealership building would be enclosed by a minimum four-foot high wall on each level of the parking ramp; the north side of the ramp would be entirely enclosed. The landscape plan includes the planting of 121 trees, 150 shrubs and many perennials and grasses. The ramp would be further separated from the closest residential building by over 700 feet.
6. The site has been designed with poured-in-place concrete curbs at the perimeter of parking lots and traffic islands.
7. The subject site abuts low-density residential properties to the north. However, the ramp lot would be located 400 feet from the shared property line and nearly 1,000 feet from the closest home. In addition, landscaping has been proposed, and lighting standards have been included as conditions of approval.

Section 4. City Council Action.

4.01 The above-described conditional use permit is approved 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, except as modified by the conditions below:
 - Site Plan, city resubmittal date Aug. 1, 2023
 - Overall Grading Plan, city resubmittal date Aug. 1, 2023
 - Erosion Control Plan city resubmittal date Aug. 1, 2023
 - Utilities Plan, city resubmittal date Aug. 1, 2023
 - Tree Preservation Plan, city resubmittal date Aug. 1, 2023
 - Landscaping Plan, city resubmittal date Aug. 1, 2023
 - Dealership Building Elevations, dated Apr. 28, 2023
 - Dealership Building Floor Plan, dated Jul. 18, 2023
 - Parking Ramp Elevations, Dated Jul. 24, 2023
2. No auto dealership use of the site, including no stocking of inventory, is allowed until the building and parking ramp have been constructed and occupancy permits approved by the building official or their designee.
3. No unlicensed and inoperable vehicles may be stored on premises except

in storage areas where the contents are completely screened from the view from nearby properties.

4. No repair, assembly, disassembly, and maintenance of vehicles may occur outside or within the parking ramp except for minor maintenance, such as inflating tires, adding oil, and replacing wipers.
5. No loudspeaker or public address system is allowed.
6. No public gas pumps are allowed.
7. All inventory and display vehicles located outside of a building or structure must be at finish grade level. No jack stands, risers, or other mechanisms may be used to elevate any vehicle for display purposes;
8. Class II motor vehicle sales (used car sales) are allowed only as an accessory part of the new car sales;
9. The sale of vehicles may occur during the times and days allowed by state law;
10. Vehicles must not be displayed in any yard area, drive aisle, or fire lane;
11. Parking lot and site security lighting:
 - a) Floodlighting on the north side of the dealership/service building or any side of the parking ramp is not allowed.
 - b) Luminaires must be located in recessed or boxed fixtures to eliminate off-site direct views of the luminaire.
 - c) Fixtures greater than 450 watts are not allowed.
 - d) Light standards/poles may be no more than 30 feet in height south of the dealership/service building and no greater than 12 feet in height north of the building, including on the top level of the parking ramp.
 - e) Be no greater than 1 watt per square foot surface parking area.
 - f) Be designed to have 0.0 foot-candles at residential property lines with the understanding that ambient light from other sources may spill on the property and influence actual on-site measurements.
12. Customer parking spaces must be clearly signed and may not be used at any time for inventory vehicle parking;
13. All pickups and drop-offs of vehicles must occur on-site and off public streets;

14. All loading and unloading of vehicles must occur on-site and off public streets.
15. Customer testing of vehicles may occur only on non-residential streets and only with a store employee;
16. All rooftop equipment must be fully screened from ground-level view of adjacent properties.
17. No signs are approved by this resolution. Signs require separate sign permits.
18. All trash and recyclable materials must be screened from public view.
19. The city council may reasonably add or revise conditions to address any future unforeseen problems.
20. Any change to the approved use that results in a significant increase in a significant change in character would require a revised conditional use permit.

Adopted by the City Council of the City of Minnetonka, Minnesota, on Sept. 18, 2023.

Brad Wiersum, Mayor

Attest:

Becky Koosman, City Clerk

Action on this resolution:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

Absent:

Resolution adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Minnetonka, Minnesota, at a duly authorized meeting held on Sept. 18, 2023.

Becky Koosman, City Clerk

EXHIBIT A

Parcel 1:

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

*Hennepin County, Minnesota
Abstract Property*

Parcel 2:

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

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

*Hennepin County, Minnesota
Abstract Property*

Parcel 3:

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

*Hennepin County, Minnesota
Abstract Property*

Resolution No. 2023-

Resolution approving final site and building plans, with expansion permits and variances, and floodplain alteration permit for an automobile dealership at 15700 and 15724 Wayata Blvd.

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 15700 and 15724 Wayzata Blvd. It is legally described on Exhibit A of this resolution.
- 1.02 Walser Real Estate, LLC. has submitted formal applications for the redevelopment of the subject property. As proposed, an existing commercial center would be removed, and a new automobile dealership and associate parking ramp would be constructed. The proposal requires approval of (1) final site and building plans with expansion permits and variances and (2) a floodplain alteration permit.
- 1.03 The expansion permits and variances are detailed on the Site Plan, city resubmittal date Aug. 1, 2023.
- 1.04 On Sept. 18, 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 the city council approve the final site and building plans, with expansion permit and variances, and floodplain alteration permit.

Section 2. Standards

- 2.01 By City Code §300.27, Subd. 5, the city will consider compliance with a variety of general standards when evaluating the site and building plans. These standards are incorporated by reference into this resolution.
- 2.02 By City Code §300.29 Subd. 7(c), an expansion permit may be granted, but is not mandated, when an applicant meets the burden of proving that: (1) the proposed expansion is a reasonable use of the property, considering such things as: functional and aesthetic justifications for the expansion; adequacy of off-site parking for the expansion; absence of adverse off-site impacts from such things

as traffic, noise, dust, odors, and parking; and improvement to the appearance and stability of the property and neighborhood; and (2) the circumstances justifying the expansion are unique to the property, are not caused by the landowner, are not solely for the landowners convenience, and are not solely because of economic considerations; and (3) The expansion would not adversely affect or alter the essential character of the neighborhood.

- 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 mean: (1) the proposed use is reasonable; (2) the need for a variance is caused by circumstances unique to the property, not created by the property owner, and not solely based on economic considerations; and (3) the proposed use would not alter the essential character of the surrounding area.
- 2.04 City Code §300.24 Subd. 9(d), states that an alteration permit will not be granted unless certain standards are met. These standards are incorporated by reference into this resolution.

Section 3. Findings

- 3.01 The proposal would meet site and building plan standards outlined in the City Code §300.27, Subd.5:
1. The proposal has been reviewed by the city planning, engineering, and natural resources staff. The stormwater management system is consistent with the water resources management plan. If the proposal is approved, final plans would be submitted in conjunction with a building permit application.
 2. The proposed access drive requires floodplain and wetland setback and wetland buffers variances. These variances meet the variance standard as outlined in section 3.05 of this resolution.
 3. The amount of grading and resultant tree removal proposed has been minimized to just that necessary to accommodate the proposed building, ramp, and required infrastructure. All of these improvements would occur within either the already developed southerly portion of the site or the relatively “open” buildable area to the north. The site work would be similar to other commercial properties in the immediate area. Less site work would be necessary if the proposed parking ramp were smaller in size. However, the ramp meets all required setback dimensions and height restrictions outlined in the PID ordinance.
 4. The proposed improvements would occur within either the already developed southerly portion of the site or the relatively “open” buildable area to the north. The site work would be similar to other commercial

properties in the immediate area.

5. The proposed dealership building building has been thoughtfully and attractively designed. Consistent with the PID ordinance, the overall design and variety of exterior materials would reflect a high level of investment. The applicant has indicated they are open to any color/tones for the proposed ramp. As a condition of this resolution, the applicant must submit a materials board for staff review and approval prior to issuance of a building permit.
6. The applicant made considerable effort to include many unique features in the proposal, including water reuse cisterns and EV charging stations.
7. The new use – and in particular, a four-level parking ramp – will visually change a property that has been essentially unchanged for 60 years. However, Walser Real Estate LLC. has worked in good faith to meet the development standards that the city has established for the site through its zoning ordinance, making reasonable provisions for surface water drainage, sound and sight buffers, preservation of views, and light and air.

3.02 The proposal would meet the expansion permit standard as outlined in City Code §300.29 Subd. 7(c):

1. Reasonableness. Given that, under state law, the existing parking lot and building could be entirely removed and a new parking lot and building of the same size and configuration constructed, an expansion permit is reasonable.
2. Unique Circumstance and Character of Locality. The existing parking lot has a non-conforming setback from the south property line and adjacent floodplain area; it was constructed just prior to the adoption of the city's first zoning ordinance. Unlikely other properties along Wayzata Blvd, there has been no substantive change to the lot location over the last 50+ years. The expansion permit is reasonable and would not negatively impact neighborhood character, as it would simply allow for the continuation of this setback.

3.03 The proposal would meet the variance standard outlined in the City Code §300.07 Subd. 1:

1. Comprehensive Plan. The variances would facilitate a commercial redevelopment of a site-guided mixed-use in the comprehensive plan.
2. Intent of the Ordinance. The intent of floodplain and wetland setback and wetland buffer requirements is to provide adequate separation from floodplain and wetland areas for both resource protection and aesthetic reasons. Though the setbacks and buffer would be minimal, they are the largest realistically possible.

3. Practical Difficulties. The floodplain and wetland setback variances and the wetland buffer variance are based on practical difficulties:
 - a) Reasonableness and Unique Circumstance. The requested variances are reasonable, as 75% of the subject site's buildable areas is inaccessible without the setback and buffer variances. This is a unique circumstance not common to other similarly zoned properties.
 - b) Character of Locality. Redevelopment of the site will visually change a property that has been essentially unchanged for 60 years. The variances, which are within a 130-foot linear stretch of a 1,270-foot deep property, would not.

2.04 The proposal would meet the floodplain alteration standard outlined in the City Code §300.24 Subd. 9(d):

1. Water storage would be maintained and provided in an amount equal to that filled.
2. Floodplain fill area would be located in areas of existing, conforming development and within an access drive providing a required evacuation route.
3. The proposed floodplain would to accommodate the required evacuation route would be located to minimize impact to the floodplain.
4. The floodplain alteration, including the creation of compensatory water storage, must not result in the removal of regulated trees beyond the limits of the tree protection ordinance, adversely impact wetlands or existing wetland buffers, or be located within public easements

Section 4. City Council Action.

4.01 The above-described site and building plans are hereby approved 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, except as modified by the conditions below:
 - Site Plan, city resubmittal date Aug. 1, 2023
 - Overall Grading Plan, city resubmittal date Aug. 1, 2023
 - Erosion Control Plan city resubmittal date Aug. 1, 2023
 - Utilities Plan, city resubmittal date Aug. 1, 2023
 - Tree Preservation Plan, city resubmittal date Aug. 1, 2023

- Landscaping Plan, city resubmittal date Aug. 1, 2023
 - Dealership Building Elevations, dated Apr. 28, 2023
 - Dealership Building Floor Plan, dated Jul. 18, 2023
 - Parking Ramp Elevations, Dated Jul. 24, 2023
2. A site development permit is required. Unless authorized by appropriate staff, no site work – including tree removal – may begin until a complete site development permit application has been submitted, reviewed by staff, and approved.
- a) The permit application and supporting plans and documents must be submitted through the city's online permit review system.
 - b) The following must be submitted for the site development permit to be considered complete.
 - 1) A conservation easements over required wetland buffers. The easement may allow the removal of hazardous, diseased or invasive trees.
 - 2) Final site, grading, utility, stormwater management, landscape, and tree mitigation plans, and a stormwater pollution prevention plan (SWPPP) for staff approval.
 - a. Final utility plan must:
 - 1. Be designed in accordance with the MN Plumbing Code; this includes any rainwater catchment systems.
 - 2. Not include culverts under the access road.
 - 3. Include one hydrant near the middle of the north wall of the dealership/sales building. The hydrant may be on either side of the drive lane. Consider using the existing service pipe as an option to extend piping to the north side.
 - 4. Include one hydrant near the "Y" of the access road on the south side of the parking ramp.
 - 5. Include the removal of the existing 8-inch water service back to the main, with the tee being removed and sleeved, if this service is not used.

6. Include isolation valves to all three legs of the proposed service connection.
 7. If the ramp does not include fire sprinklers, the site plan must be updated to include an access drive to the parking ramp that extends to within 150 feet of all portions of the parking ramp and all portions of the exterior walls of the first story of the building as measured around the exterior of the parking ramp. The extension of this drive may not encroach into any required floodplain or wetland setback or required wetland buffer.
- b. Final stormwater management plan is required for the entire site's impervious surface. The plan must demonstrate conformance with the following criteria:
1. 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.
 2. Volume. Provide for onsite retention of 1 inch of runoff from the entire site's impervious surface.
 3. 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.
- c. Final landscaping plan must:
1. Maintain the Willow thickets within the required.
 2. Meet minimum landscaping and mitigation requirements as outlined in the ordinance, including species beneficial to pollinators.
 3. Include information relating to species, sizes, quantities, locations and landscape values.
- d. Final tree mitigation plan. The plan must meet the minimum requirements as outlined in the

ordinance. However, at the sole discretion of staff, mitigation may be decreased.

- e. A utility exhibit. The exhibit must show only property lines, buildings, sewer, water, storm sewer, and underground stormwater facilities. The exhibit must clearly note that all utilities are private.
 - f. Truck turning exhibits. The exhibit must use the templates for the city's largest fire truck and illustrate the truck can maneuver through the site.
- c) Prior to issuance of the site development permit:
- 1) The final plat must be recorded, or the properties legally combined.
 - 2) Submit the following:
 - a. Development contract in a city-approved format.
 - b. A recorded copy of the conservation easement.
 - c. Declaration and restrictive covenants over all mitigated wetland areas per the WCA.
 - d. A stormwater maintenance agreement.
 - e. A private hydrant maintenance agreement.
 - f. A MDH permit for the proposed watermain or documentation that a permit is not required.
 - g. 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.
 - h. 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 resources staff in a format acceptable to the city. At its sole discretion, the city may accept escrow dollars, in an amount determined by natural resources staff, to contract with an erosion control inspector to monitor the site.
 - i. Letter or credit or cash escrow in the amount of 125% of a bid cost or 150% of an estimated cost to

comply with the site development permit and landscaping requirements and to restore the site. The city will not fully release the guarantee until (1) as-built drawings and tie-cards have been submitted; (2) a letter certifying that the underground facility has been completed according to the plans approved by the city; (3) vegetated ground cover has been established; and (4) required landscaping or vegetation has survived one full growing season.

- j. Cash escrow in the amount of \$7,000. This escrow must be accompanied by a document prepared by the city attorney and signed by the builder and property owner. Through this document, the builder and property owner will acknowledge:
 - The property will be brought into compliance within 48 hours of notification of a violation of the construction management plan, other conditions of approval, or city code standards; and
 - If compliance is not achieved, the city will use any or all of the escrow dollars to correct any erosion and/or grading problems.
 - 3) A separate building permit must be submitted and approved for retaining walls over 4 feet in height, require a separate building permit and must be engineered by a licensed engineer.
 - 4) Install 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.
 - 5) Permits may be required from other outside agencies, including a MPCA NPDES permit. It is the applicant's responsibility to obtain any necessary permits.
3. Prior to issuance of a building permit, submit the following for staff review and approval:
- a) A snow removal plan.
 - b) An illumination plan. The plan must:

- 1) Not including floodlighting of the north side of the dealership/service building or any side of the parking ramp.
 - 2) Indicate luminaires located in recessed or boxed fixtures to eliminate off-site direct views of the luminaire.
 - 3) Include fixtures no greater than 450 watts.
 - 4) Include light standards/poles no more than 30 feet in height south of the dealership/service building and no greater than 12 feet in height north of the building, including on the top level of the parking ramp.
 - 5) Be designed with no greater than 1 watt per square foot surface parking area.
 - 6) Be designed to have 0.0-foot candles at residential property lines with the understanding that ambient light from other sources may spill on the property and influence actual onsite measurements.
- c) Confirmation of whether an emergency responder radio coverage system is required within the building per Appendix P of the MN State Fire Code
 - d) A construction management plan. This plan must be in a city-approved format and outline minimum site management practices and penalties for noncompliance. 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.
 - e) Unless the builder is the same entity doing grading work on the site, 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 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. The resolution does not approve any signs. Separate sign permits are required.

5. The property owner is responsible for replacing any required landscaping that dies.
6. Construction must begin by Dec. 31, 2024, unless the city council grants a time extension.

Adopted by the City Council of the City of Minnetonka, Minnesota, on Sept. 18, 2023.

Brad Wiersum, Mayor

Attest:

Becky Koosman, City Clerk

Action on this resolution:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

Absent:

Resolution adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Minnetonka, Minnesota, at a duly authorized meeting held on Sept. 18, 2023.

Becky Koosman, City Clerk

EXHIBIT A

Parcel 1:

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

*Hennepin County, Minnesota
Abstract Property*

Parcel 2:

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

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

*Hennepin County, Minnesota
Abstract Property*

Parcel 3:

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

*Hennepin County, Minnesota
Abstract Property*