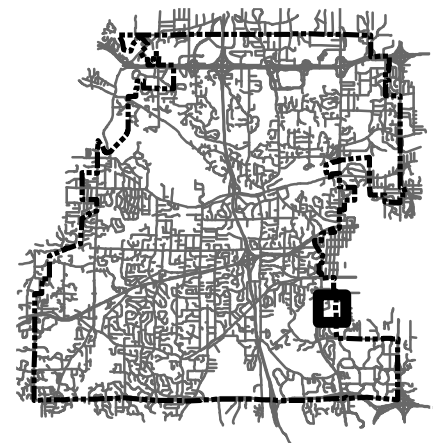




LOCATION MAP

Project: Big River Real Estate
Location: 11501 K-Tel Dr



Narrative from the tenant utilizing the expanded parking lot areas

To the City of Minnetonka officials, we Rainbow Tree Care are applying for this permit to continue to operate our business after being notified that the property was altered without proper permitting. This is related to an outside storage area that was present on the property when we took possession. We have also used portions of the property, under verbal approval of the prior landowners, that we now understand are not complaint. Upon being notified the property was not in compliance we began an effort to bring the property into conformity, while still effectively operating in the facility. We are requesting this permit as it will allow us to continue to operate our business in current Minnetonka location. We are committed to adjust our operations to work within the proposed land use changes. We also kindly ask for any support available to make the changes without significantly interrupting or limiting our work. To speak to the use of the facility we would like to provide some background about who we are.

Rainbow Treecare is an Employee-Owned Environmental Services company headquartered at 11571 K-Tel Drive, Minnetonka, MN. Rainbow provides various services to the Twin Cities Metro area related to Tree and Lawn Health, Structural Pest Control, and Seasonal Lighting. Rainbow also own and invents Tree Preservation tools and supplies used by arborists thought the US to save trees and improve tree health.

Due to the seasonal nature of Rainbow's business, particularly it's tree preservation efforts with Dutch Elm Disease (Elm) and Emerald Ash Borer (Ash), Rainbow staff fluctuates with the peak period of spring through fall.

Apart from the growth of the business, Rainbows use of the building has changed little since it moved into the location in late 2008. The premise is roughly half office and half warehouse space. The office space serves as Rainbow corporate headquarters and is comprised of a mix of offices, cubicles and conference rooms.

Rainbow uses the warehouse to store inventory and equipment, provide maintenance to equipment, and to ship products to it's customers. The facility and outdoor space are utilized for storage of equipment and supplies used in the delivery of it's services. The majority of Rainbow's employes access equipment and supplies from the facility and are deployed to work sites each day.



Client
Hoyt Properties
Minneapolis, MN

Project
Encore Park

Location
11501 K-tel Drive
Minnetonka, MN

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.

Travis W. Van Neste
Travis W. Van Neste
Registration No. 44109 Date: 1/17/08
This certification is not valid unless wet signed in blue ink. If applicable, contact us for a wet signed copy of this survey which is available upon request at McCombs Frank Roos Associates, Inc., Plymouth, MN office.

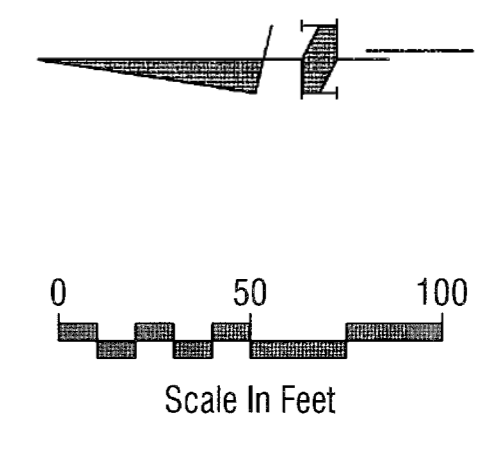
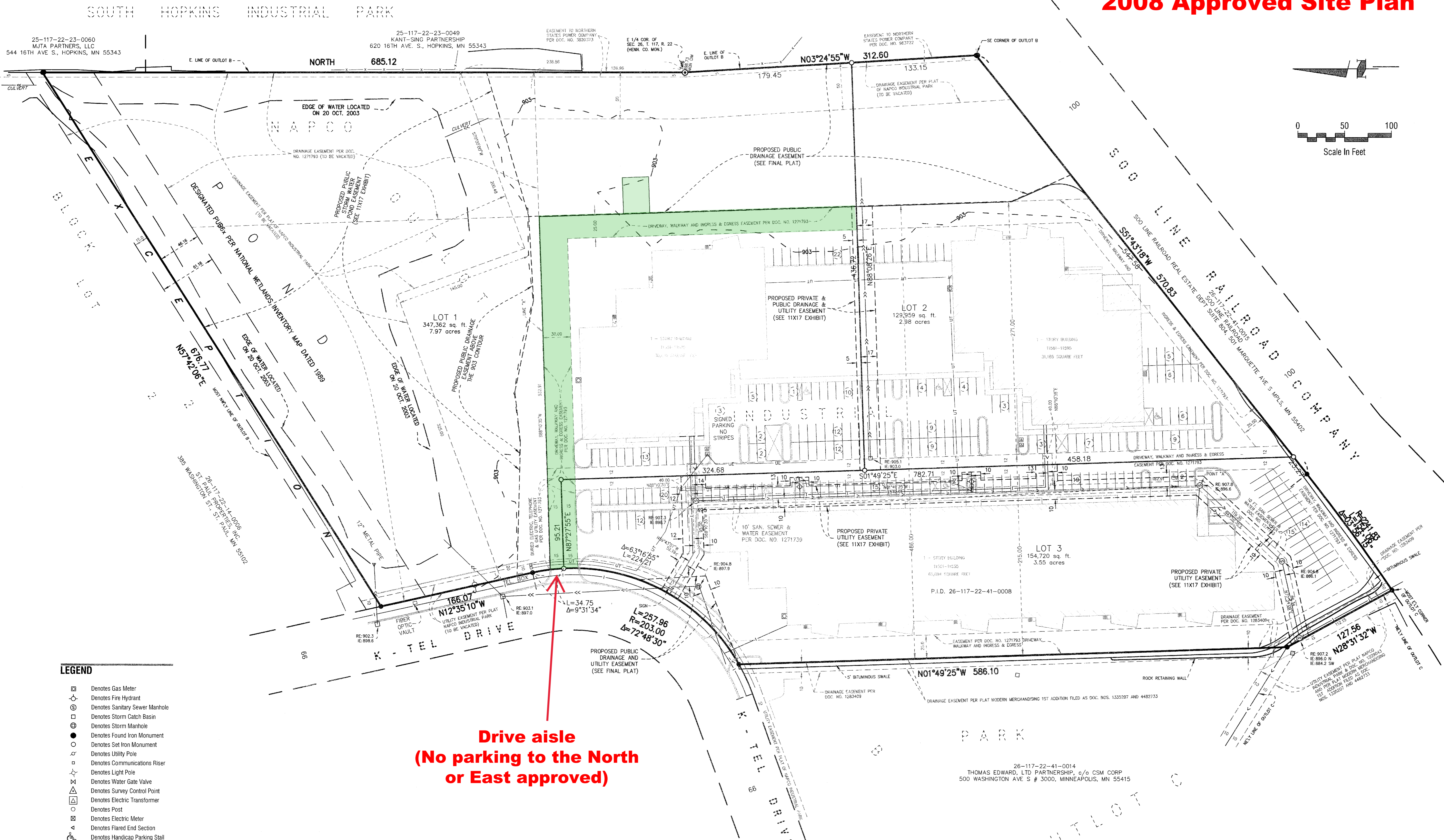
Summary
Designed: TWW
Approved: TWW Book / Page: 606/51
Phase: Initial Issue: 12/20/07

Revision History
No. Date By Submittal / Revision
A 1/16/08 TWW City comment letter 12/21/07

Sheet Title
Preliminary Plat
(Utilities and Easements)

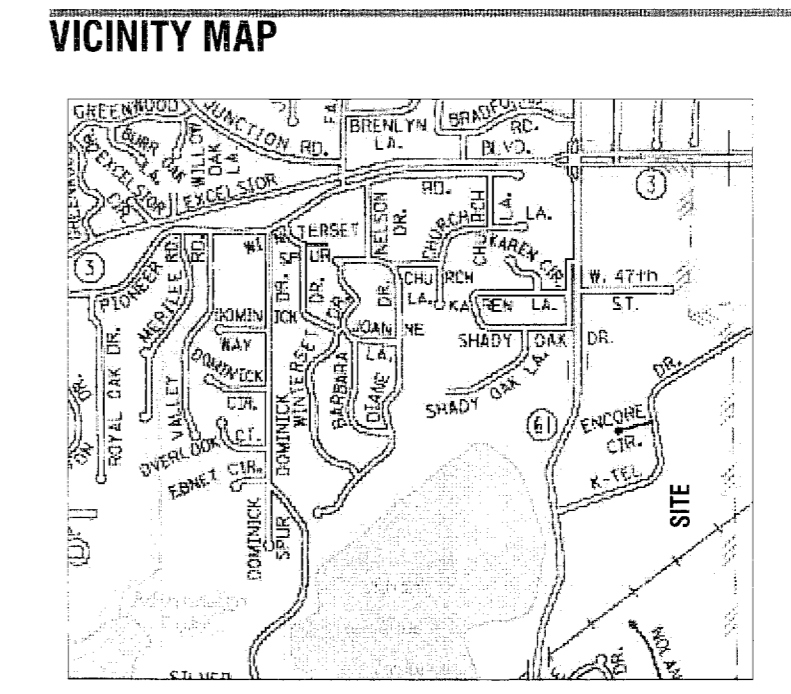
Sheet Number Revision
2/2 A
Encore Park
Project No. 065-072

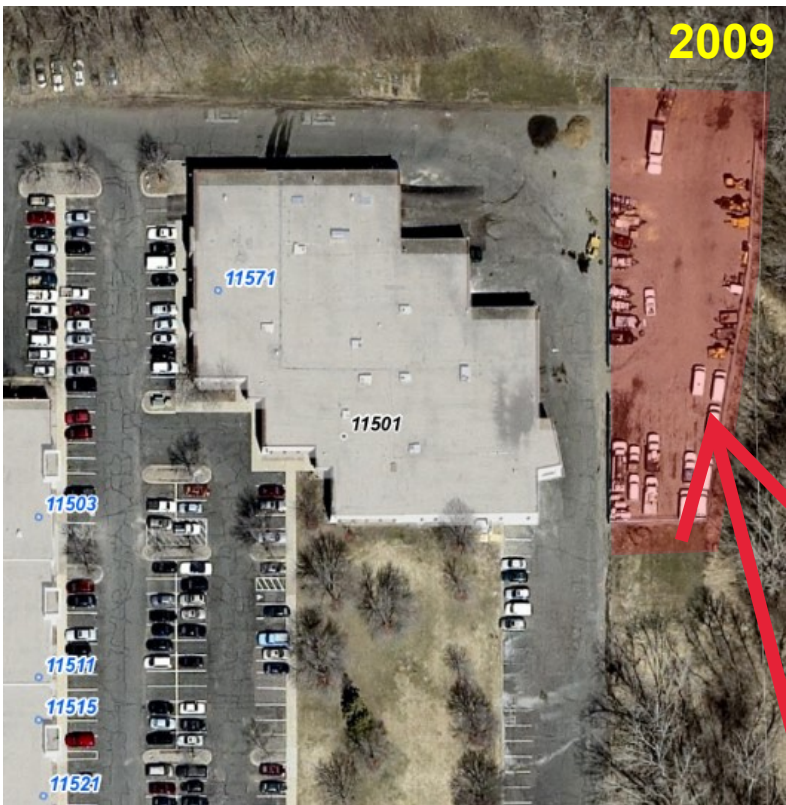
2008 Approved Site Plan



Drive aisle
(No parking to the North
or East approved)

- LEGEND**
- ⊗ Denotes Gas Meter
 - ⊕ Denotes Fire Hydrant
 - ⊙ Denotes Sanitary Sewer Manhole
 - ⊠ Denotes Storm Catch Basin
 - ⊚ Denotes Storm Manhole
 - Denotes Found Iron Monument
 - Denotes Set Iron Monument
 - Denotes Utility Pole
 - Denotes Communications Riser
 - Denotes Light Pole
 - Denotes Water Gate Valve
 - △ Denotes Survey Control Point
 - ⊠ Denotes Electric Transformer
 - ⊙ Denotes Post
 - ⊙ Denotes Electric Meter
 - ⊙ Denotes Flared End Section
 - ♿ Denotes Handicap Parking Stall
 - > Denotes Sanitary Sewer
 - >> Denotes Storm Sewer
 - |— Denotes Watermain
 - UG— Denotes Gasmain
 - UE— Denotes Under Ground Electric Lines
 - UT— Denotes Under Ground Telephone Lines
 - OW— Denotes Over Head Lines
 - x— Denotes Chain Link Fence
 - Denotes Concrete Curb
 - ⊙ Denotes Parking Stall Count
 - ▭ Denotes Concrete Surface
 - ▭ Denotes Gravel Surface
 - Denotes 899 foot contour per field survey completed on September 21, 2007

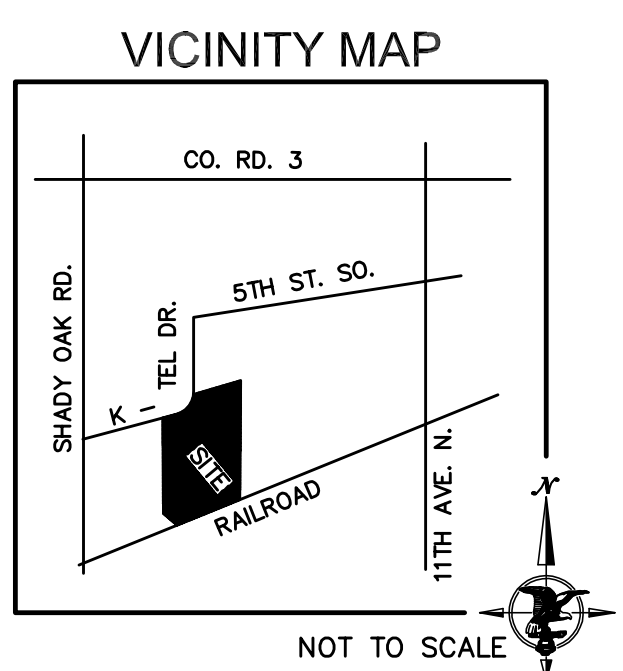
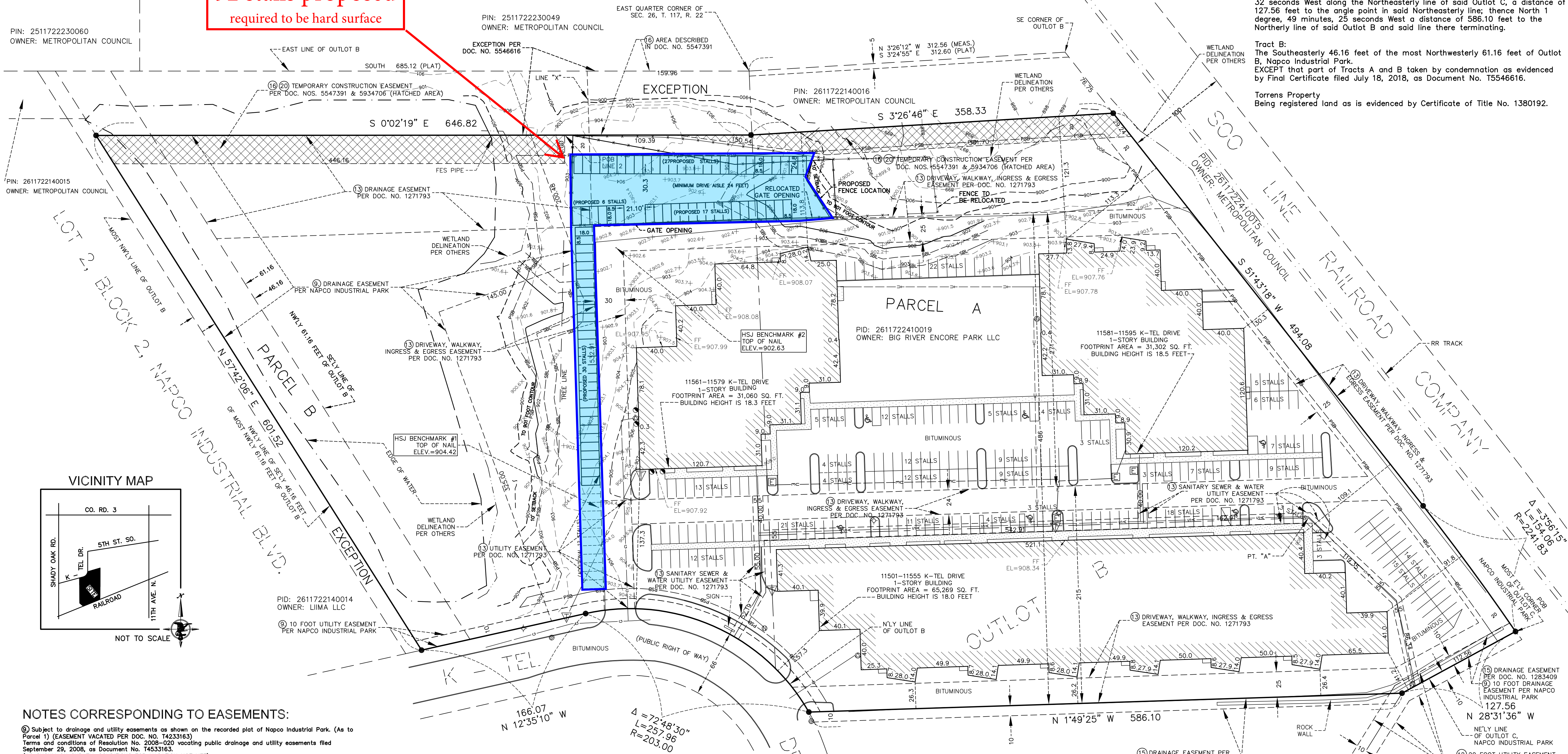




Progression of unapproved parking lot expansion

**92 stalls proposed
required to be hard surface**

SOUTH HOPKINS INDUSTRIAL PARK

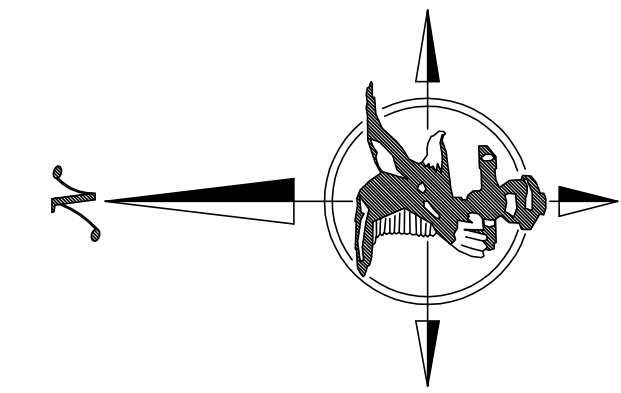


LEGAL DESCRIPTION:

Tract A:
That part of Outlot B, Napco Industrial Park, Hennepin County, Minnesota, EXCEPT the most Northwestern 61.16 feet of said Outlot B lying Easterly of the following described line and its Northern extensions, said line is described as follows: Beginning at the most Easterly corner of Outlot C in said plat; thence on an assumed bearing of North 28 degrees 31 minutes 32 seconds West along the Northerly line of said Outlot C, a distance of 127.56 feet to the angle point in said Northerly line; thence North 1 degree, 49 minutes, 25 seconds West a distance of 586.10 feet to the Northerly line of said Outlot B and said line there terminating.

Tract B:
The Southeasterly 46.16 feet of the most Northwestern 61.16 feet of Outlot B, Napco Industrial Park, EXCEPT that part of Tracts A and B taken by condemnation as evidenced by Final Certificate filed July 18, 2018, as Document No. 15546616.

Torrens Property
Being registered land as is evidenced by Certificate of Title No. 1380192.



SCALE: 1 INCH = 50 FEET

REVISIONS

Date:	2-6-23	per comments
	1-31-24	add wetland info.
	8-19-24	add D & U Easmts per Plot

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

Thomas E. Hodorf
Thomas E. Hodorf, L.S.
Minnesota Reg. No. 23677

Date: January 18, 2023

SITE PLAN FOR 11501-11595 K-TEL DRIVE

For:
BIG RIVER REAL ESTATE FUND LLC

SITE:

11501-11595 K-TEL DRIVE
HOPKINS, MINNESOTA

HENNEPIN COUNTY

HARRY S. JOHNSON CO., INC.
LAND SURVEYORS

9063 Lyndale Avenue South
Bloomington, MN. 55437
Tele. 952-884-5341 Fax 952-884-5344

www.hsjlandsurveyors.com

NOTES CORRESPONDING TO EASEMENTS:

- Subject to drainage and utility easements as shown on the recorded plat of Napco Industrial Park. (As to Parcel 1) (EASEMENT VACATED PER DOC. NO. 14233163) Terms and conditions of Resolution No. 2008-020 vacating public drainage and utility easements filed September 29, 2008, as Document No. 14533163. (AS SHOWN ON SURVEY, CONDITIONS FOR VACATION NOT MET)
- Subject to a snow fence and slope easement as contained in instrument of record in Book 2218 of Deeds, page 346. (As to Parcel 1, Tract B) (EASEMENT FOR SLOPES, CUTS AND FILLS CANNOT BE GRAPHICALLY SHOWN FROM DOCUMENTS, GENERALLY THESE EASEMENTS ARE PREPARED AT TIME OF STREET CONSTRUCTION)
- Easement for sanitary sewer purposes, together with incidental rights thereof, in favor of the City of Minnetonka as evidenced by Final Certificate filed July 26, 1977, as Document No. T1229043. (As to Parcel 1) (AS SHOWN ON SURVEY)
- Subject to easements set forth in that certain Deed Document No. T1271793. (As to Parcel 1) (AS SHOWN ON SURVEY)
- Subject to an electric transmission line easement and other rights incident thereto in favor of Northern States Power Company (a MN corp), over the East 5 feet of above premises as set forth in CR Doc No. 3820373. (As to Parcel 1, Tract B) (NOT ON SUBJECT PROPERTY)
- Terms and conditions of, and easement(s) contained within, that certain Easement Agreement dated June 30, 1978, filed July 14, 1978, as Document No. T1283409. (As to Parcel 1) (AS SHOWN ON SURVEY)
- Restrictions and encumbrances as set forth in that certain Declaration dated June 5, 2018, filed July 23, 2018, as Document No. T5547391. (As to Parcel 1) (SHOWN ON SURVEY AS HATCHED AREA)
- Terms and conditions of Resolution No. 2018-105 approving a conditional use permit filed September 11, 2018, as Document No. T5559915. (As to Parcel 1) (NON-SURVEY MATTER)
- Final Certificate for acquisition of a temporary easement filed June 26, 2019, as Document No. T5623528. (As to Parcel 1) (EASEMENT EXPIRED) NOTE: Temporary easement expires June 1, 2022.
- Terms and conditions Resolution No. 2019-117 approving a conditional use permit filed December 20, 2019, as Document No. T5672349. (As to Parcel 1) (NON-SURVEY MATTER)
- Terms and conditions of, and easement for construction purposes contained within, that certain Temporary Construction Easement Agreement filed April 5, 2022, as Document No. T5934706. (As to Parcel 1) (SHOWN ON SURVEY AS HATCHED AREA)
NOTE: Temporary easement expires on December 1, 2024.
Consent from RiverSource Life Insurance Company filed April 5, 2022, as Document No. T5934707.
- A portion of the property contains wetlands which may be subject to federal, state, or local regulation. The right to use or improve these wetlands is excepted herein. (As to Parcel 1) (NO WETLAND OBSERVED)

GENERAL NOTES:

- The bearing system used is assumed.
- The location of the underground utilities shown hereon are based on visible surface evidence and markings provided by Gopher State One Call (Minnesota Statute 216D), Ticket Number 222020361. This survey represents the underground utilities that participated with the request and were marked at the time of the survey. Additional utilities may exist, but were non-responsive to the request.
- Subject property is identified as being in "Zone X, Other Areas" on Flood Insurance Rate Map No. 27053C0341F, effective date November 4, 2016.
- Site Area = 568,658 square feet = 13.055 acres.
- There are a total of 255 striped parking stalls on said property, of which there are 7 designated as handicap.
- This survey was made on the ground.
- Zoning Classification: PUD, Planned Unit Development.
- In preparing this survey I have relied upon the supporting documents and the Commitment for Title Insurance issued by Old Republic National Title Insurance Company, having an effective date of June 30, 2022 and bearing file number ORTE748521, Supplemental #3.
- There are no visible markings denoting wetlands as delineated by appropriate authorities.
- Subject property has direct access to and from K-Tel Drive, a public right of way.
- PROOF OF PARKING: There are 83 Proposed parking stalls on said property, with possibility of an additional 12 stalls, as shown.
- Elevation datum is based on NAVD 88 data.
HSJ Benchmark #1 is located Top of Nail (AS SHOWN ON SURVEY)
Elevation = 904.42
- LIDAR contour information was used to make this survey, see LIDAR note.

LIDAR TOPO NOTE:

LIDAR contour information was used to fill-in overgrown and heavily wooded areas of the site and areas beyond the scope of the survey to show the continuation of the desired contours.
Note: These areas have contours only and no spot elevations.
DISCLAIMER AND CREDITS: LIDAR data shown and provided is subject to the disclaimers provided in the data documentation from Mntopo. Mntopo is a collaborative effort between M.N.I.T Services @ Minnesota Department of Natural Resources and M.N.I.T Services @ MnGeo.

LEGEND

- Property Corner
- Concrete
- Concrete Curb
- Fence
- Underground Electric
- Underground Telephone
- Water
- Gas
- Sanitary Sewer
- Storm Sewer
- Parking Setback Line
- Electric Meter
- Electric Box
- Hydrant
- Unknown Manhole
- Gate Valve
- Guard Post
- Catchbasin
- Catchbasin
- Light Pole
- Gas Meter
- Telephone Box
- Sanitary Manhole
- Storm Manhole
- Existing Contour
- Existing Spot Elevation

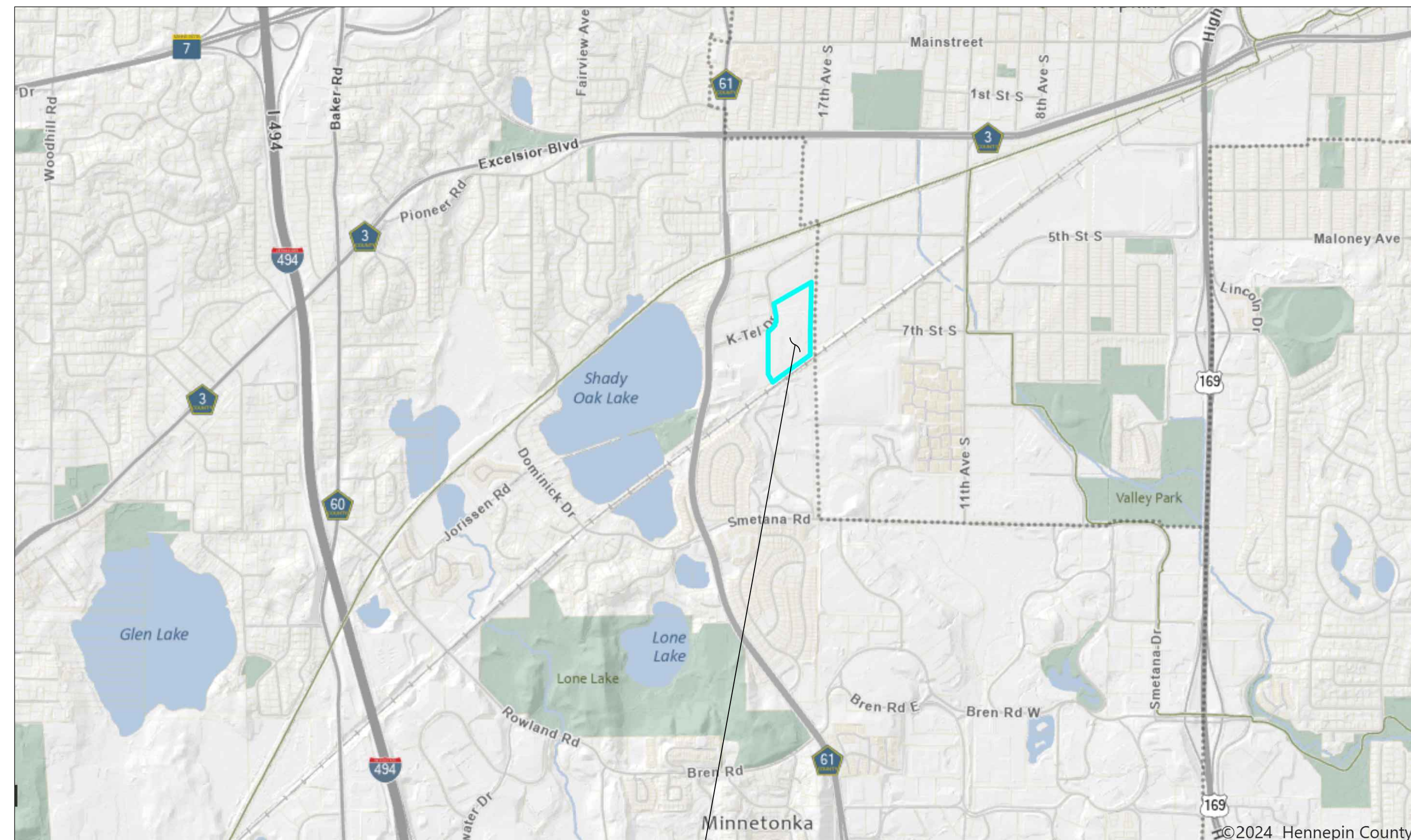
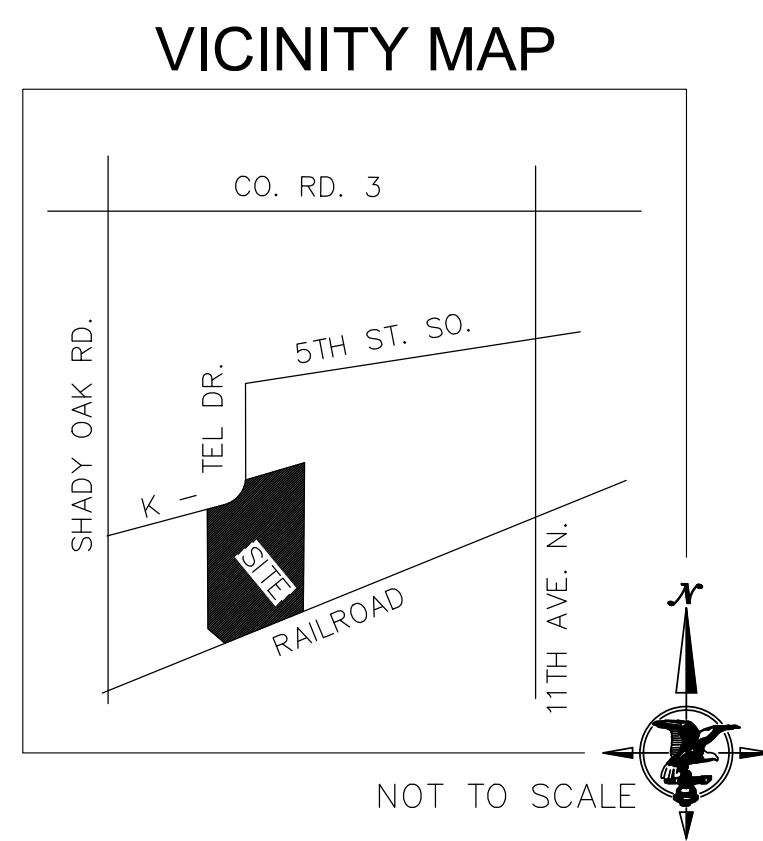


Book 877	File No. 2022391
Page 72	W.O. Number 2022391
CAD Technician CT	
Sheet No.	1 OF 1

BIG RIVER REAL ESTATE 11501-11595 K-TEL DRIVE

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.

PRELIMINARY
KRYSTLE L. BLOCH
8-20-2024
49893
DATE LIC. NO.



PROJECT AREA

SHEET INDEX

- 1 - TITLE SHEET
- 2 - OVERALL SITE PLAN
- 3 - GRADING AND EROSION CONTROL PLAN (NORTH ONLY)
- 4 - DETAILS
- 5 - NORTH POND EXHIBIT
- 6 - EAST POND EXHIBIT

ZONING:

THE PROPERTY IS CURRENTLY ZONED FOR THE FOLLOWING: PUD

GOVERNING STANDARDS: CITY OF MINNETONKA STANDARD CONTRACT DOCUMENTS AND TECHNICAL SPECIFICATIONS FOR UTILITY AND STREET CONSTRUCTION, 2018 EDITION OF THE MINNESOTA DEPARTMENT OF TRANSPORTATION "STANDARD SPECIFICATIONS FOR CONSTRUCTION", LATEST VERSION OF THE "MINNESOTA MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES" (MMUTCD)

UTILITIES:

GOPHER STATE ONE CALL
(651) 454-0002
gopherstateonecall.org

THE SUBSURFACE UTILITY INFORMATION IN THIS PLAN IS UTILITY QUALITY LEVEL D. THIS QUALITY LEVEL WAS DETERMINED ACCORDING TO THE GUIDELINES OF C1/ASCE 3-2, ENTITLED "STANDARD GUIDELINES FOR THE COLLECTION AND DEPICTION OF EXISTING SUBSURFACE UTILITY DATA."
CONTRACTOR SHALL FIELD VERIFY EXACT LOCATIONS PRIOR TO COMMENCING CONSTRUCTION AS REQUIRED BY STATE LAW. GSOC INFORMATION ABOVE.

BIG RIVER REAL ESTATE
11501-11595 K-TEL DRIVE
MINNETONKA, MN

TITLE

REVISIONS	NO.	DATE	BY	DESCRIPTION

JOB NO. 23-13

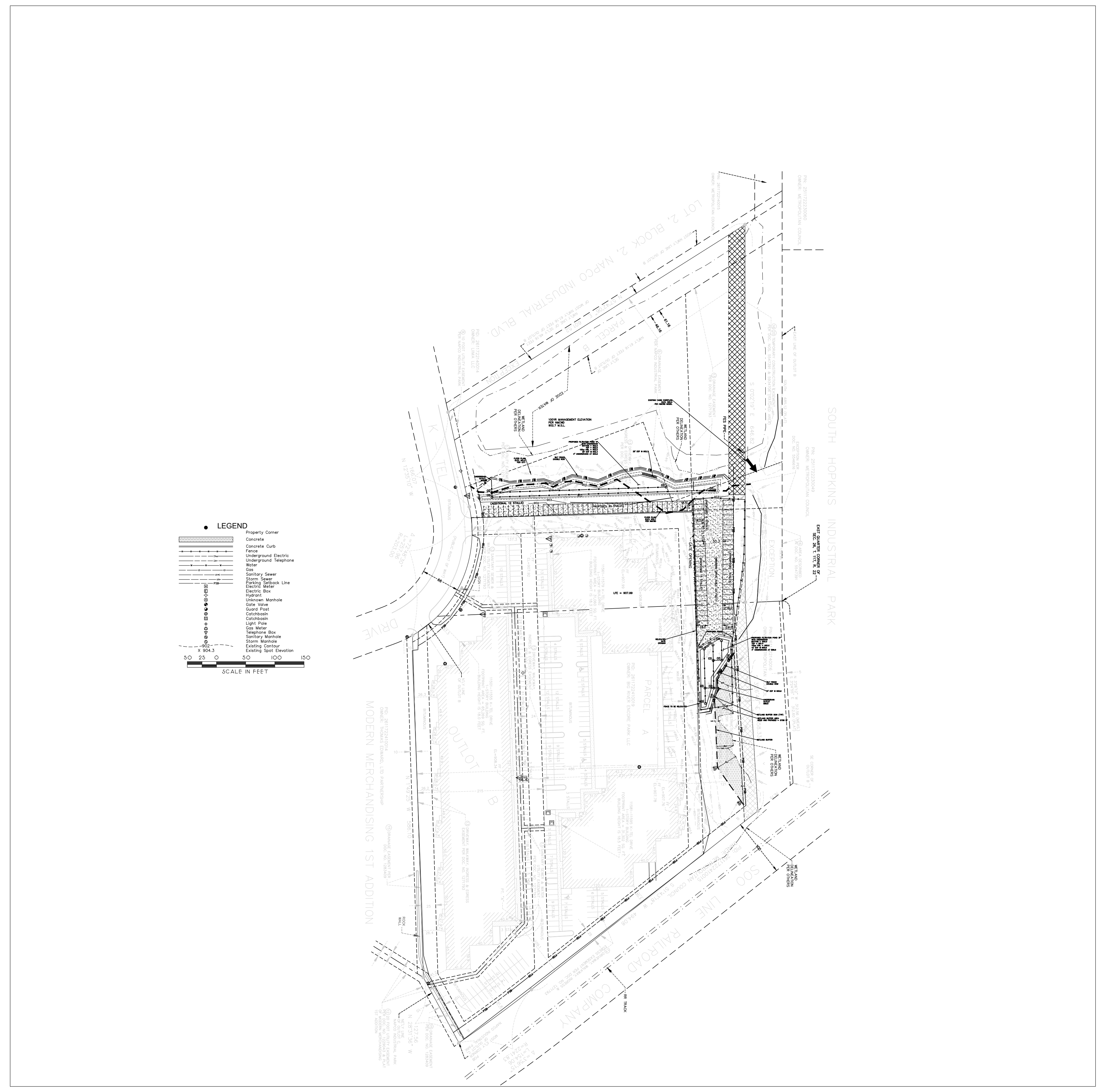
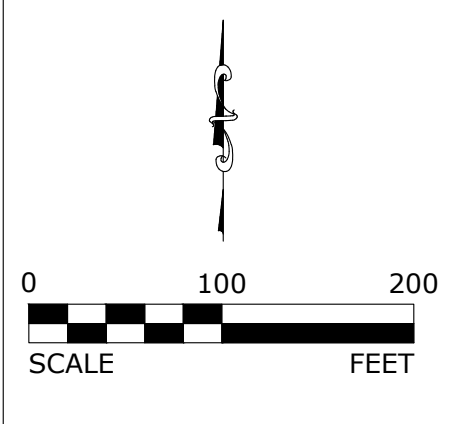
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 LICENSED PROFESSIONAL ENGINEER UNDER
 THE LAWS OF THE STATE OF MINNESOTA.

PRELIMINARY
 KRISTLE L. BLOCH
 8-20-2024 49893
 DATE LIC. NO.

BIG RIVER REAL ESTATE
 11501 - 11595 K-TEL DRIVE
 MINNETONKA, MN

OVERALL SITE PLAN

REVISIONS	
NO.	DESCRIPTION





EROSION CONTROL SUPERVISOR:
 XXX XXX
 XXX@XXX.COM
 XXX-XXX-XXXX

- EROSION CONTROL (AND LANDSCAPING) NOTES:
- ALL DISTURBED AREAS TO BE SEEDED AND MULCHED, EXCEPT AS NOTED IN NUMBER 6 BELOW.
 - MULCH TYPE 1 (DISK ANCHORED) IN DISTURBED AREAS OTHER THAN SOD AND INFILTRATION AREA.
 - SEED MNDOT TYPE 25-151, AT A RATE OF 61 LB/AC
 - ALL SLOPES STEEPER THAN 4:1, SHALL BE RESTORED WITH SEED AND PROTECTED WITH EROSION CONTROL BLANKET. EC BLANKET MUST BE BIODEGRADABLE, LOOSE-WEAVE BLANKET.
 - MINIMIZE SOIL COMPACTION IN INFILTRATION AREAS
 - ALL DISTURBED AREAS WITHIN THE RIGHT OF WAY SHALL BE SODDED.
 - SEE SWPPP FOR TEMPORARY STABILIZATION REQUIREMENTS.
 - TWO ROWS OF SILT FENCE ALONG WETLAND/WESTERN GRADING EDGE

- SITE GRADING NOTES:
- THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES, AND WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR SHALL VERIFY THE FIELD LOCATION OF ALL PUBLIC AND PRIVATE UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL CONTACT GOPHER STATE ONE CALL AT (651) 454-0002.
 - ALL CUT OR FILL SLOPES SHALL BE 3:1 OR FLATTER UNLESS OTHERWISE NOTED.
 - EXISTING GRADE CONTOUR INTERVALS SHOWN AT 1 FOOT INTERVALS.
 - PROPOSED GRADE CONTOUR INTERVALS SHOWN AT 1 FOOT INTERVALS.
 - IF ANY EXISTING STRUCTURES TO REMAIN ARE DAMAGED DURING CONSTRUCTION IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO REPAIR AND/OR REPLACE THE EXISTING STRUCTURE AS NECESSARY TO RETURN IT TO EXISTING CONDITIONS OR BETTER.
 - TOPOGRAPHIC INFORMATION TAKEN FROM A TOPOGRAPHIC SURVEY BY LAND SURVEYORS, IF CONTRACTOR DOES NOT ACCEPT EXISTING TOPOGRAPHY AS SHOWN ON THE PLANS, WITHOUT EXCEPTION, THEY SHALL HAVE MADE, AT THEIR EXPENSE, A TOPOGRAPHIC SURVEY BY A REGISTERED LAND SURVEYOR AND SUBMIT TO THE OWNER FOR REVIEW.
 - CONSTRUCTION SHALL COMPLY WITH ALL APPLICABLE GOVERNING CODES AND BE CONSTRUCTED TO SAME.
 - ALL DISTURBED AREAS WITHIN THE PUBLIC RIGHT OF WAY SHALL BE SODDED.
 - EXISTING SLOPES BEING TIED INTO ARE GREATER THAN 3:1, AND EXTRA CARE SHOULD BE TAKEN IN GRADING THESE AREAS. EROSION CONTROL BLANKET SHALL BE APPLIED TO THESE SLOPES IMMEDIATELY AFTER GRADING.

NEW IMPERVIOUS (PROPOSED BIT. PAVEMENT)

DRAINAGE CALCS:
 NEW IMPERVIOUS = 22703 SF
 REQD TREATMENT = 22703 SF X (0.55"/12) = 1041 CF

EXISTING RUNOFF: 2 YR = 2.47 CFS
 10YR = 5.67 CFS
 100YR = 11.36 CFS

PROPOSED RUNOFF: 2 YR = 0.71 CFS
 10YR = 1.08 CFS
 100YR = 9.51 CFS

SEE STORMWATER REPORT FOR FULL HYDROCAD INFORMATION AND SUMMARIES

EXCAVATION WITHIN FLOODPLAIN:
 130 CY CUT

BIG RIVER REAL ESTATE
 11501-11595 K-TEL DRIVE
 MINNETONKA, MN

GRADING AND EROSION CONTROL PLAN

REVISIONS	NO.	DATE	BY	DESCRIPTION

0 40 80
 SCALE FEET

C3

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.

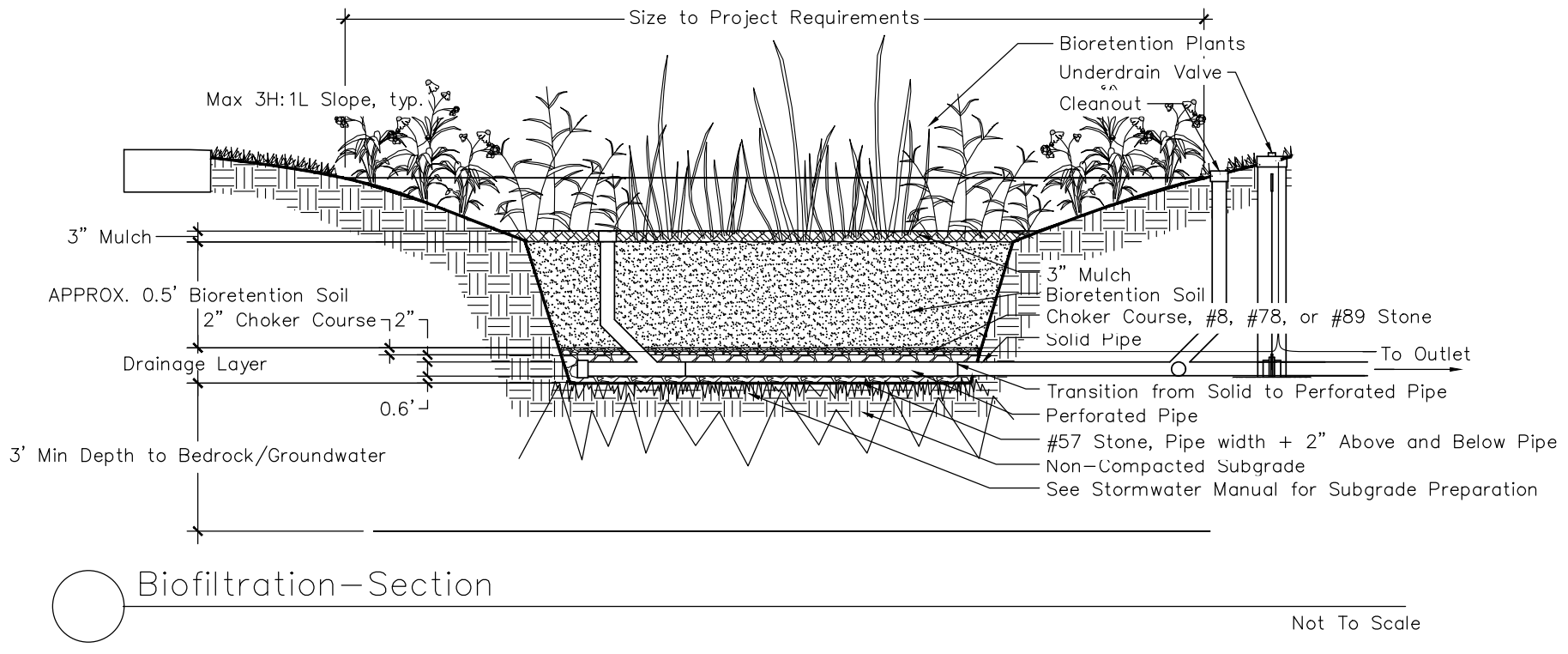
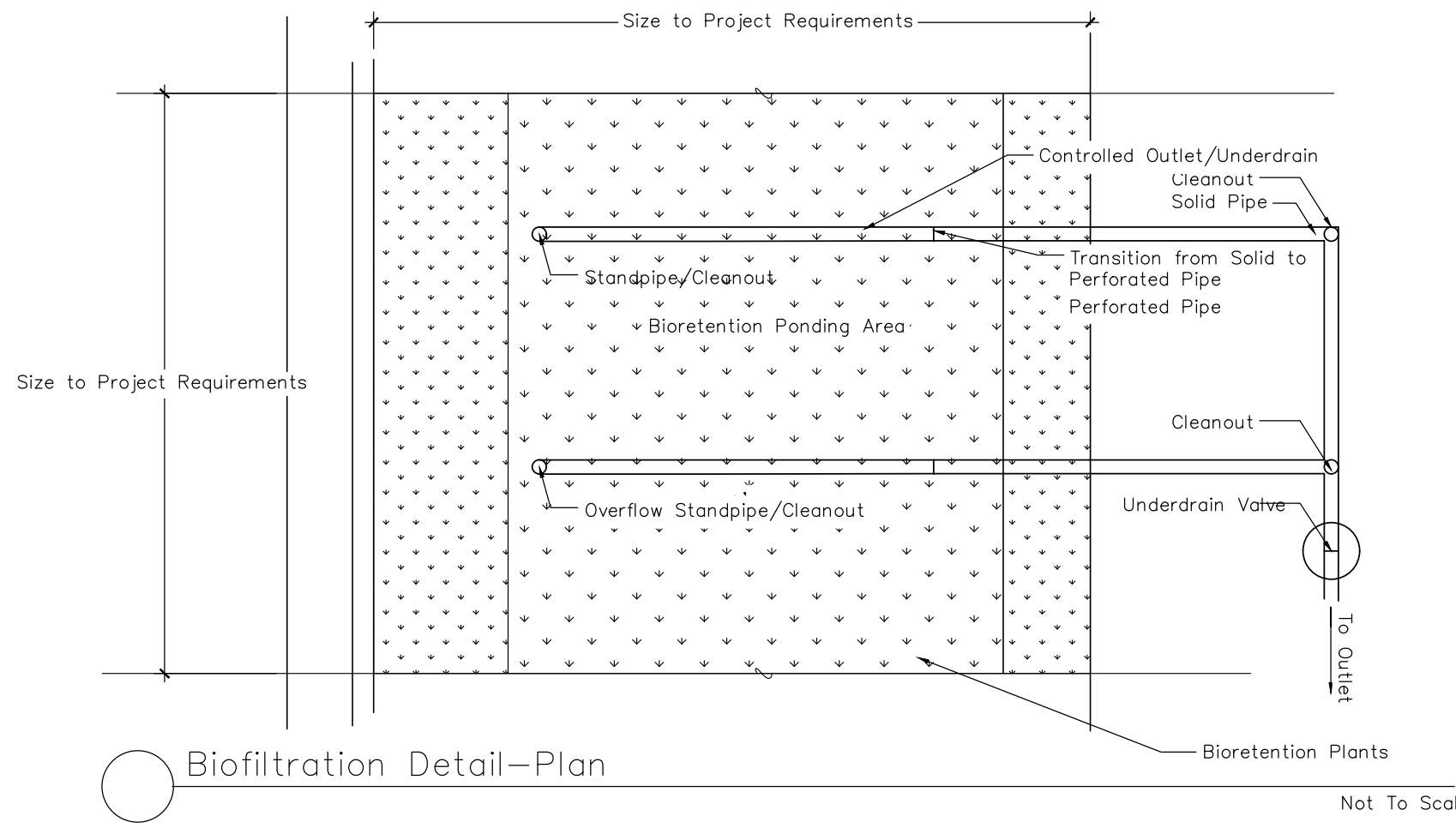
PRELIMINARY
 KRISTLE L. BLOCH
 8-20-2024
 DATE 49893
 LIC. NO.

BIG RIVER REAL ESTATE
 11501-11595 K-TEL DRIVE
 MINNETONKA, MN

DETAILS

REVISIONS	NO.	DATE	BY	DESCRIPTION

- SUGGESTED CONSTRUCTION SEQUENCING**
1. Install appropriate temporary erosion control devices to prevent sediment from leaving or entering the practice during construction.
 2. All down-gradient perimeter sediment control bmp's must be in place before any up gradient land disturbing activity begins.
 3. Perform continuous inspections of erosion control practices, especially after each rainfall event.
 4. Complete, stabilize, and vegetate all other site improvements.
 5. Construct and vegetate bioretention device following stabilization of contributing drainage area. Ensure that critical elevations, such as underdrain invert, top of media, top of mulch, and invert of overflow structure (if present) are correct.
 6. Remove temporary erosion control devices after the contributing drainage area is adequately vegetated.
- GENERAL NOTES**
1. In the event that sediment is introduced into the bmp during or immediately following excavation, this material shall be removed from the practice prior to continuing construction.
 2. See Minnesota Stormwater Manual for subgrade preparation.
- MATERIAL SPECIFICATIONS**
1. See Minnesota Stormwater Manual for material specifications recommendations for bioretention soil, mulch, underdrains, etc.



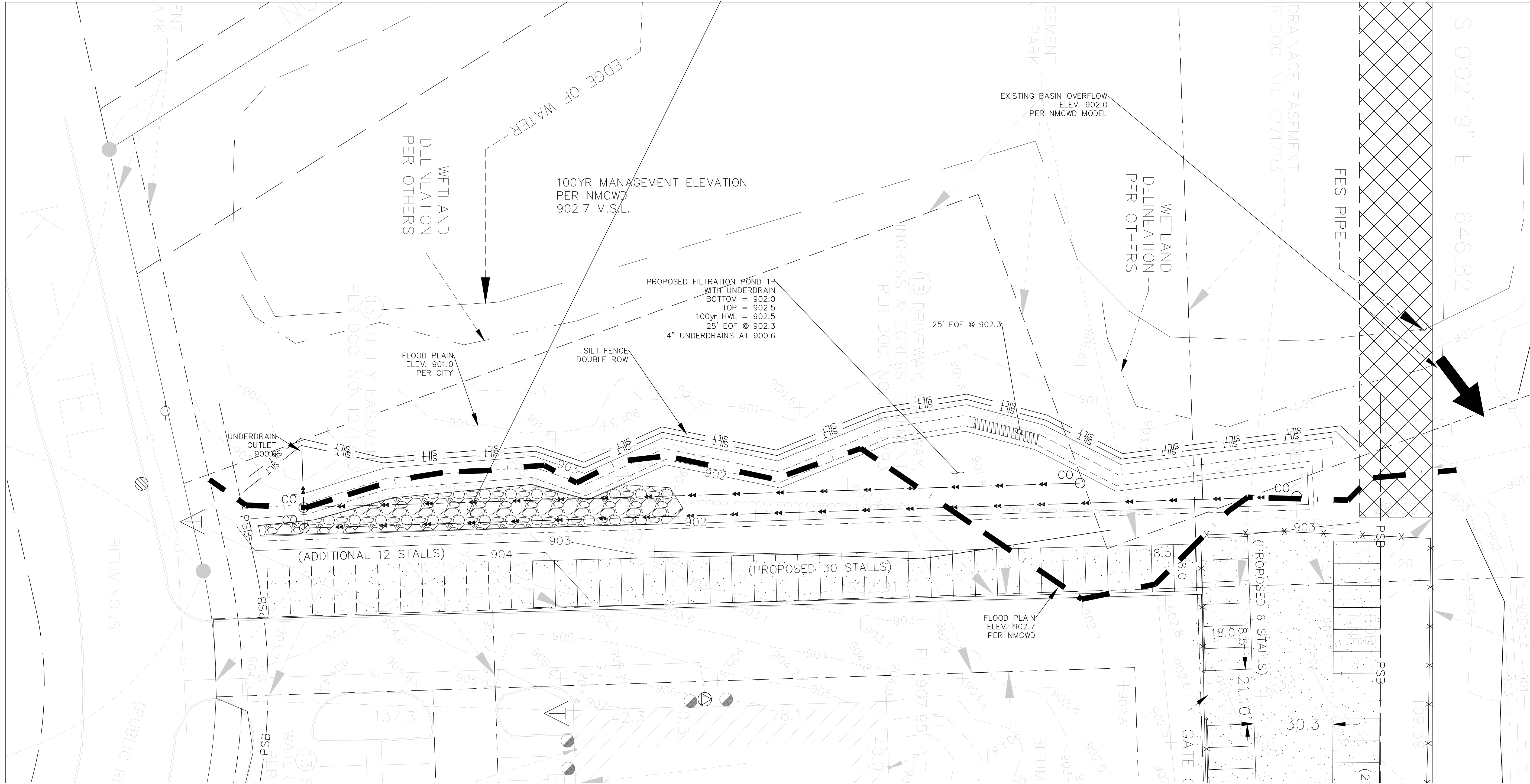
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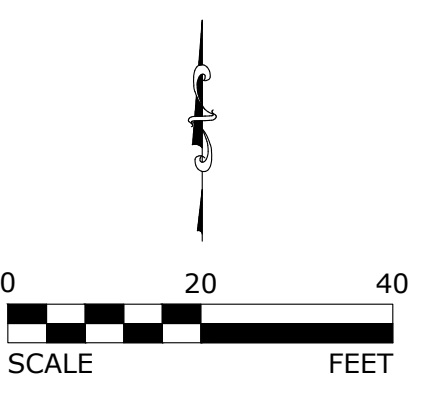
BIG RIVER REAL ESTATE
11501-11595 K-TEL DRIVE
MINNETONKA, MN

ENLARGED GRADING PLAN

AREA OF 1P OUTSIDE OF FLOODPLAIN
THIS AREA WAS USED FOR VOLUME CALCS
AS SHOWN IN THE REPORT



REVISIONS	NO.	DATE	DESCRIPTION	BY



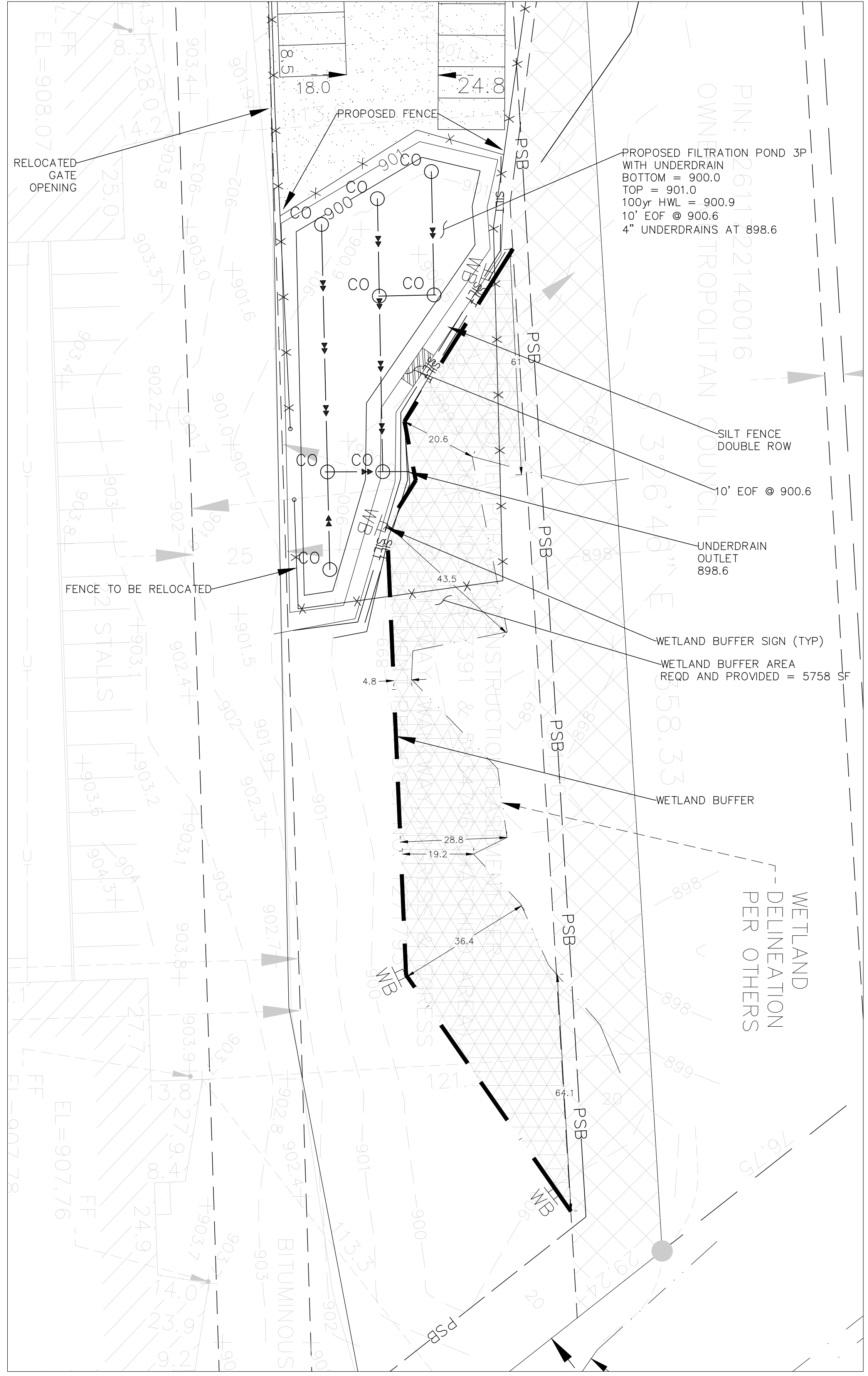
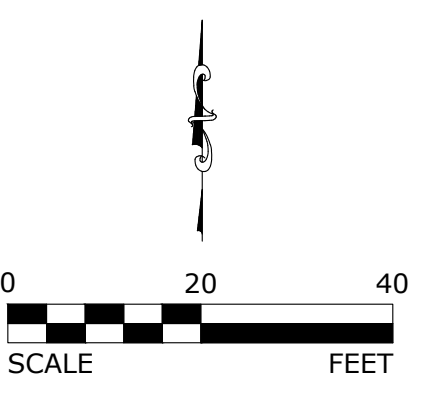
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KRISTLE L. BLOCH
8-20-2024
49893
DATE LIC. NO.

BIG RIVER REAL ESTATE
11501-11595 K-TEL DRIVE
MINNETONKA, MN

**ENLARGED GRADING PLAN
& WETLAND EXHIBIT**

REVISIONS	NO.	DATE	BY	DESCRIPTION



- WETLAND BUFFER NOTES:
1. BUFFER AREA TO BE SEEDED WITH MNDOT TYPE 32-243
 2. TWO ROWS OF SILT FENCE ALONG WETLAND GRADING EDGE
 3. WETLAND BUFFER MARKERS TO BE UNIFORM AND PROVIDED BY CITY