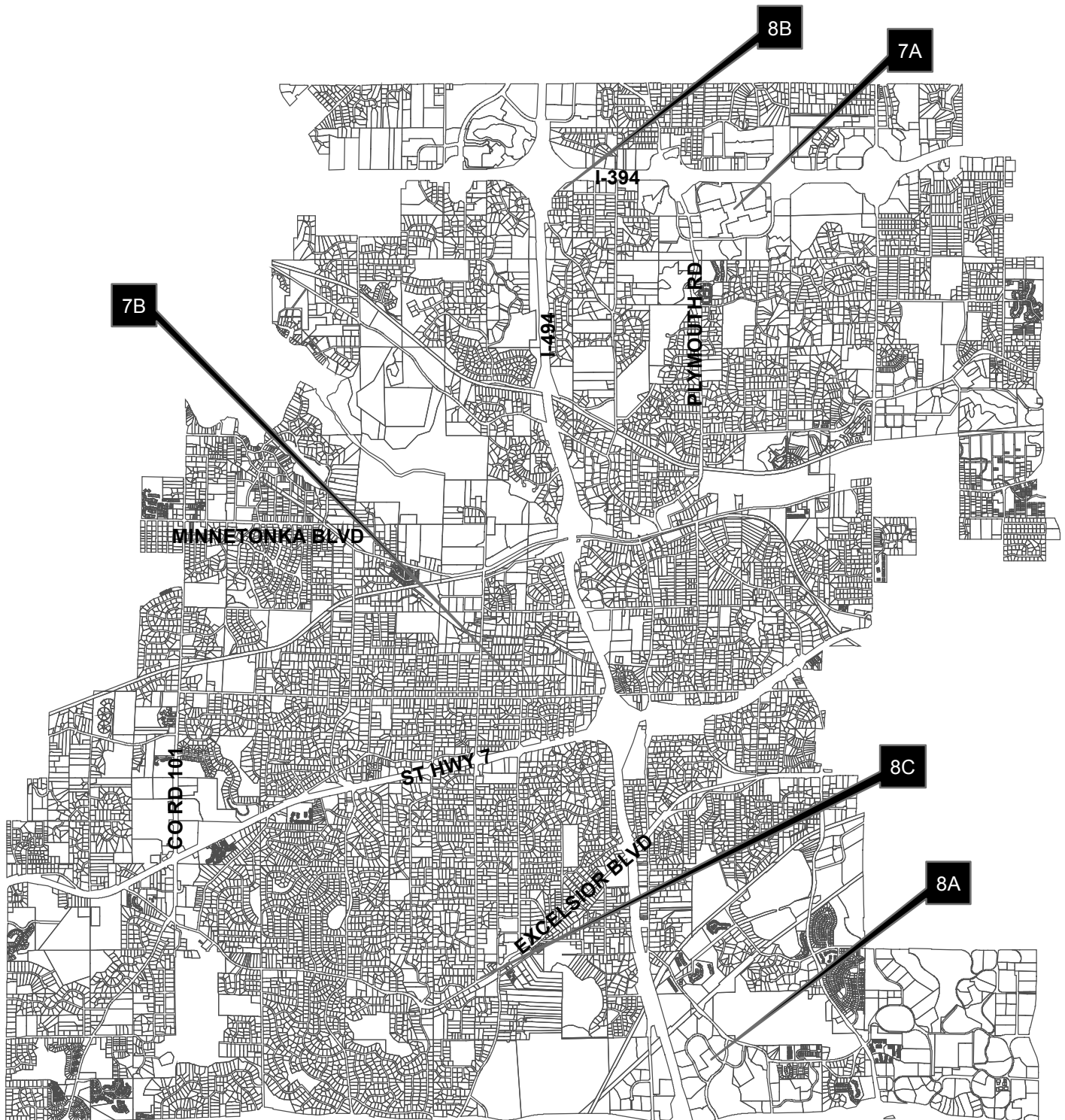




**CITY OF MINNETONKA
PLANNING COMMISSION
APRIL 14, 2016**

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





Planning Commission Agenda

April 14, 2016—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: March 17, 2016

5. Report from Staff

6. Report from Planning Commission Members

7. Public Hearings: Consent Agenda

A. Conditional use permit for Field Day Ridgedale, LLC, at 12259 Wayzata Boulevard.

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

- Recommendation to City Council (Tentative Date: April 25, 2016)
- Project Planner: Ashley Cauley

B. Side yard setback variance for a garage and living space addition at 14524 Idylwood Road.

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

- Final Decision Subject to Appeal
- Project Planner: Susan Thomas

8. Public Hearings: Non-Consent Agenda Items

A. Site plan review for a parking lot expansion at 5900 Clearwater Drive.

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

- Final Decision Subject to Appeal
- Project Planner: Susan Thomas

B. Items concerning a parking lot expansion at 14001 Ridgedale Drive.

Recommendation: Adopt the resolution denying the requests (4 votes)

- Final Decision Subject to Appeal
- Project Planner: Susan Thomas

C. Items concerning a licensed day care facility at 14730 Excelsior Boulevard.

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

- Recommendation to City Council (Tentative Date: April 25, 2016)
- Project Planner: Ashley Cauley

9. Adjournment

Notices

1. Please call the planning division at (952) 939-8274 to confirm meeting dates as they are tentative and subject to change.
2. Applications and items scheduled for the May 5, 2016 Planning Commission meeting:

Project Description: The applicant is proposing changes to both the site and building at 14900 State Highway 7. As proposed, the interior and exterior of existing building would be significantly remodeled and new parking areas and driveways constructed. The primary tenant of the building would be a specialty medical clinic. The proposal requires: (1) preliminary and final plats; (2) a major amendment to the existing master development plan; (3) site and building plan review; and (4) a conditional use permit.

Project No.: 86091.16a

Staff: Susan Thomas

Ward/Council Member: 3—Brad Wiersum

Section: 21

Project Description: Minnetonka Schools ISD #276 is proposing changes to existing parking lots and construction of two new parking areas on the Minnetonka High School Campus. The parking changes, which were conceptually reviewed in 2015 during formal review of the Pagel Center Expansion, require: (1) amendment to the school's existing conditional use permit; and (2) site plan review.

Project No.: 97001.16b

Staff: Susan Thomas

Ward/Council Member: 4—Tim Bergstedt

Section: 30

Project Description: Ordinance amending city code pertaining to signs.

Staff: Loren Gordon

Project Description: Glen Lake Study
Gordon

Staff: Julie Wischnack/Loren

WELCOME TO THE MINNETONKA PLANNING COMMISSION MEETING

This outline has been prepared to help you understand the public meeting process. The review of an item usually takes the following form:

1. The chairperson of the meeting will announce the item to be reviewed and ask for the staff report on the subject.
2. Staff presents their report on the item.
3. The Commission will then ask City staff questions about the proposal.
4. The chairperson will then ask if the applicant wishes to comment.
5. The chairperson will open the public hearing to give an opportunity to anyone present to comment on the proposal.
6. This is the time for the public to make comments or ask questions about the proposal. Please step up to the podium, speak clearly, first giving your name (spelling your last name) and address and then your comments.
7. At larger public hearings, the chair will encourage speakers, including the applicant, to limit their time at the podium to about 8 minutes so everyone has time to speak at least once. Neighborhood representatives will be given more time. Once everyone has spoken, the chair may allow speakers to return for additional comments.
8. After everyone in the audience wishing to speak has given his or her comments, the chairperson will close the public hearing portion of the meeting.
9. The Commission will then discuss the proposal. No further public comments are allowed.
10. The Commission will then make its recommendation or decision.
11. Final decisions by the Planning Commission may be appealed to the City Council. Appeals must be written and filed with the Planning Department within 10 days of the Planning Commission meeting.

It is possible that a quorum of members of the City Council may be present. However, no meeting of the City Council will be convened and no action will be taken by the City Council.

**Unapproved
Minnetonka Planning Commission
Minutes**

March 17, 2016

1. Call to Order

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

2. Roll Call

Commissioners Odland, Powers, Calvert, Hanson, Knight, O'Connell, and Kirk were present.

Staff members present: Community Development Director Julie Wischnack, City Planner Loren Gordon, and Planner Ashley Cauley.

3. Approval of Agenda: The agenda was approved as submitted.

4. Approval of Minutes: March 3, 2016

Odland moved, second by Powers, to approve the March 3, 2016 meeting minutes as submitted with a change on Page 2 from "second by Powers" to "second by Knight."

Odland, Powers, Calvert, Hanson, Knight, O'Connell, and Kirk voted yes. Motion carried.

5. Report from Staff

Gordon briefed the commission on land use applications considered by the city council at its meeting of March 14, 2016:

- Introduced an application for proposed improvements to parts of the Bunker Golf Center.
- Adopted a resolution approving items for the Williston Woods 5-lot subdivision.
- Adopted a resolution approving an increase in the number of units from 99 to 100 for Cherrywood Pointe.
- Reviewed a concept plan to redevelop the TCF Bank site.

There will be a workshop from 6 p.m. to 8:30 p.m. on Wednesday, March 23, 2016, on resources and ways communities will be updating comprehensive guide plans. Please RSVP to Gordon.

The next planning commission meeting will be March 31, 2016.

Wischnack added that the March 28, 2016 city council agenda packet includes staff reports reviewing the Glen Lake study and redevelopment on Shady Oak Road near Main Street in Hopkins.

6. Report from Planning Commission Members

Calvert completed the Minnetonka Citizen's Academy. She recommends it highly.

7. Public Hearings: Consent Agenda: None

8. Public Hearings

A. Variances to allow construction of a second-story addition to the house at 2513 Bantas Point Lane.

Chair Kirk 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.

Brad Bollman, of Struction Construction, applicant, stated that the height would be increased to provide living space to the two-bedroom house. The sprinkler system would be continued throughout the addition.

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

Odland moved, second by Hanson, to adopt the resolution on pages A13-A16 of the staff report which approves variances for a second story living addition at 2513 Bantas Point Lane.

Odland, Powers, Calvert, Hanson, Knight, O'Connell, and Kirk voted yes. Motion carried.

Chair Kirk stated that an appeal of the planning commission's decision must be made in writing to the planning division within 10 days.

9. Adjournment

*Odland moved, second by Knight, to adjourn the meeting at 6:50 p.m.
Motion carried unanimously.*

By: _____
Lois T. Mason
Planning Secretary

Minnetonka Planning Commission Meeting

April 14, 2016

Agenda Item 7

Public Hearing: Consent Agenda

MINNETONKA PLANNING COMMISSION
April 14, 2016

Brief Description	A conditional use permit for Field Day Ridgedale, LLC, at 12259 Wayzata Boulevard
Recommendation	Recommend the city council adopt the resolution approving the request

Introduction

Field Day Ridgedale, LLC is a new restaurant concept owned by Parasole Restaurant Holdings, Inc. Headquartered in Minneapolis. Parasole Restaurant Holdings operates a number of restaurants in and around the metro area. Their restaurant portfolio includes Salut Bar Americain in Edina and St. Paul; Burger Jones in Burnsville; Chino Latino and Libertine in Uptown; Manny's Steakhouse and The Living Room & Prohibition Bars at the W Minneapolis – The Foshay in downtown Minneapolis; Muffuletta Café in St Paul; and Good Earth Restaurants in Edina and Roseville.

Proposal

In 2014, General Growth and Nordstrom began construction of Phase 2 of the Ridgedale Mall master development plan. To connect the new Nordstrom store to the existing mall, Phase 2 included a two-story 88,000 square foot mall addition. Since the construction wrapped up late last year, several tenants have already occupied the mall addition.

Field Day Ridgedale, LLC is requesting a conditional use permit to operate a restaurant within the first floor of the new Nordstrom wing. The restaurant would have seating for up to 50 guests and would be approximately 2800 square feet in size. The applicant has applied for a liquor license which will be reviewed separately by the city council.

The hours of operation, consistent with the mall's hours, would be 10:00 a.m. – 9:00 p.m. Monday through Saturday and 11:00 – 6 p.m. on Sundays.

The proposal requires a conditional use permit to allow a restaurant use, exceeding 1,200 square feet in size, within a retail center. (See pages A2–A6.)

Staff Analysis

Staff finds that the proposed restaurant is reasonable:

- The parking demands and traffic associated with the restaurant can be accommodated within the existing site without the need for any additional traffic improvements.
- The restaurant use would be complimentary to existing uses within the mall.
- The restaurant would meet all conditional use permit standards outlined in the zoning ordinance for restaurants.

Staff Recommendation

Recommend the city council adopt the resolution on pages A7–A10, which approves the conditional use permit for a restaurant in Ridgedale Center at 12401 Wayzata Boulevard.

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

Supporting Information

Project No.	03046.16a
Property	12401 Wayzata Boulevard
Applicant	Field Day Ridgedale, LLC
Planning	Guide Plan designation: Mixed Use Zoning: PID, Planned I394 District
CUP Standards	The proposal would meet the general conditional use permit standards as outlined in City Code §300.31 Subd.4(b)2:

1. The use is in the best interest of the city;
2. The use is compatible with other nearby uses;
3. The use is consistent with other requirements of this ordinance.

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

1. must be in retail multiple tenant centers only and conform to the architecture of a specific center;

Finding: The restaurant would be interior to the mall. As an interior tenant, Field Day would apply their trade dress to their interior entrance. The design and material choice of the trade dress would be regulated by Ridgedale. There would be no evidence of the restaurant on the exterior of the mall.

2. will not be permitted when traffic studies indicate significant impacts on the levels of service as defined by the Institute of Traffic Engineers on the roadway system;

Finding: The traffic within the Ridgedale area has been studied extensively. The traffic associated with the restaurant can be accommodated within the existing roadway system and on-site parking areas.

3. outdoor seating areas will be approved only subject to the following:

- a) must be located in a controlled or cordoned area with at least one opening to an acceptable pedestrian walk. When a liquor license is involved, an enclosure is required and the enclosure shall not be interrupted; access must be only through the principal building;
- b) must be setback at least 300 feet and screened from any adjacent property designated in the comprehensive plan for residential use;
- c) must be located and designed so as not to interfere with pedestrian and vehicular circulation;
- d) must be located next to an entrance to the main use;
- e) must be equipped with refuse containers and periodically patrolled for litter pick-up;
- f) must not have speakers or audio equipment that is audible from adjacent residential properties; and
- g) must meet building setback requirement.

Finding: The proposal does not include an outdoor eating area.

- 4. drive-up windows and related stacking spaces will be approved only subject to the following:
 - a) public address system must not be audible from any residential parcel; and
 - b) stacking for a maximum of six cars per aisle must be provided subject to applicable parking lot setbacks.
 - c) must be setback at least 100 feet and screened from any adjacent property designated in the comprehensive plan for residential use.

Finding: The proposal does not include a drive-up window.

- 5. Restaurants or fast-food restaurants with less than 1,200 square feet gross floor area, designed capacity not exceeding 25, having no drive-up window and located in retail multiple tenant centers are exempt from the requirements of this section and are considered to be a

standard retail use. For tenants with accessory fast-food restaurants, the 1,200 square-foot calculation will include the total gross floor area of all restaurants and fast-food restaurants within the tenant space.

Finding: The restaurant would exceed 1,200 square feet. As such, the requirements of this section would apply to the proposal.

Approving Body

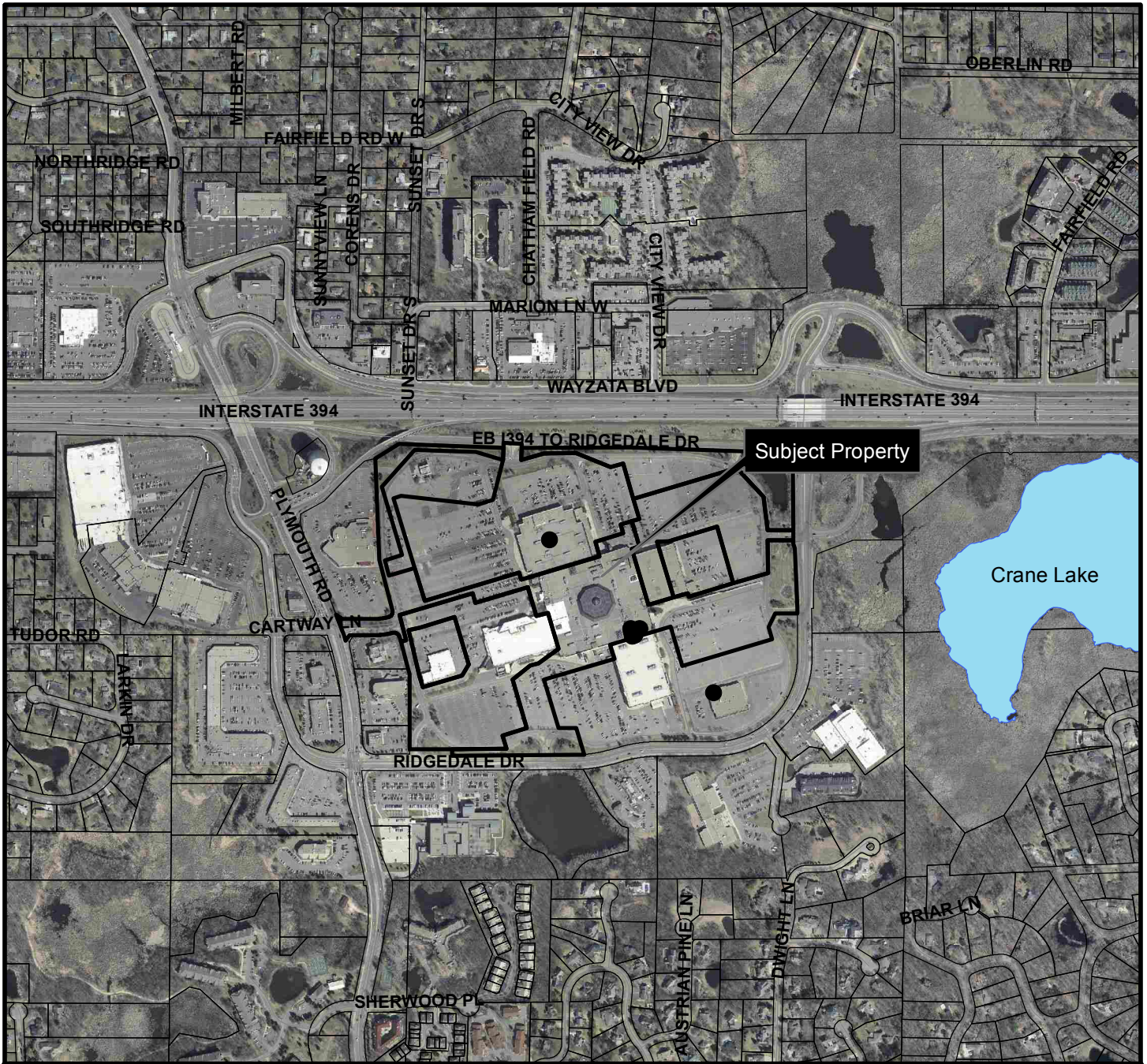
The planning commission makes a recommendation to the city council, which has final authority to approve or deny the request. (City Code §300.06 Subd. 4)

Neighborhood Comments

The city sent notices to 424 area property owners and received no comments to date.

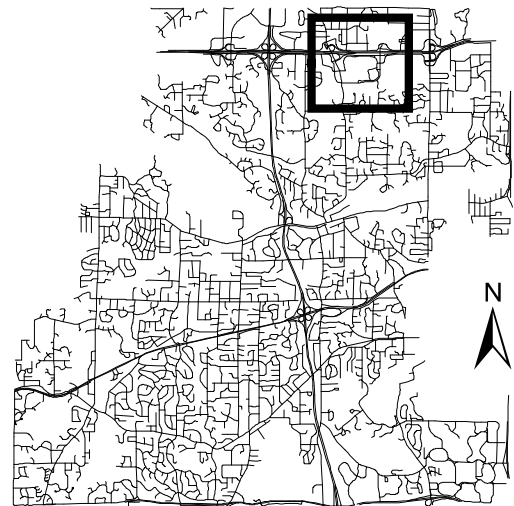
Deadline for Decision

July 12, 2016



Location Map

Project: Good Earth Concept (Parasole)
 Applicant: Field Day Ridgedale, LLC
 Address: 12401 Wayzata Blvd
 Project No. 03046.16a



This map is for illustrative purposes only.

Field Day Ridgedale LLC
 12401 Wayzata Boulevard
 03046.16a



RIDGEDALE CENTER

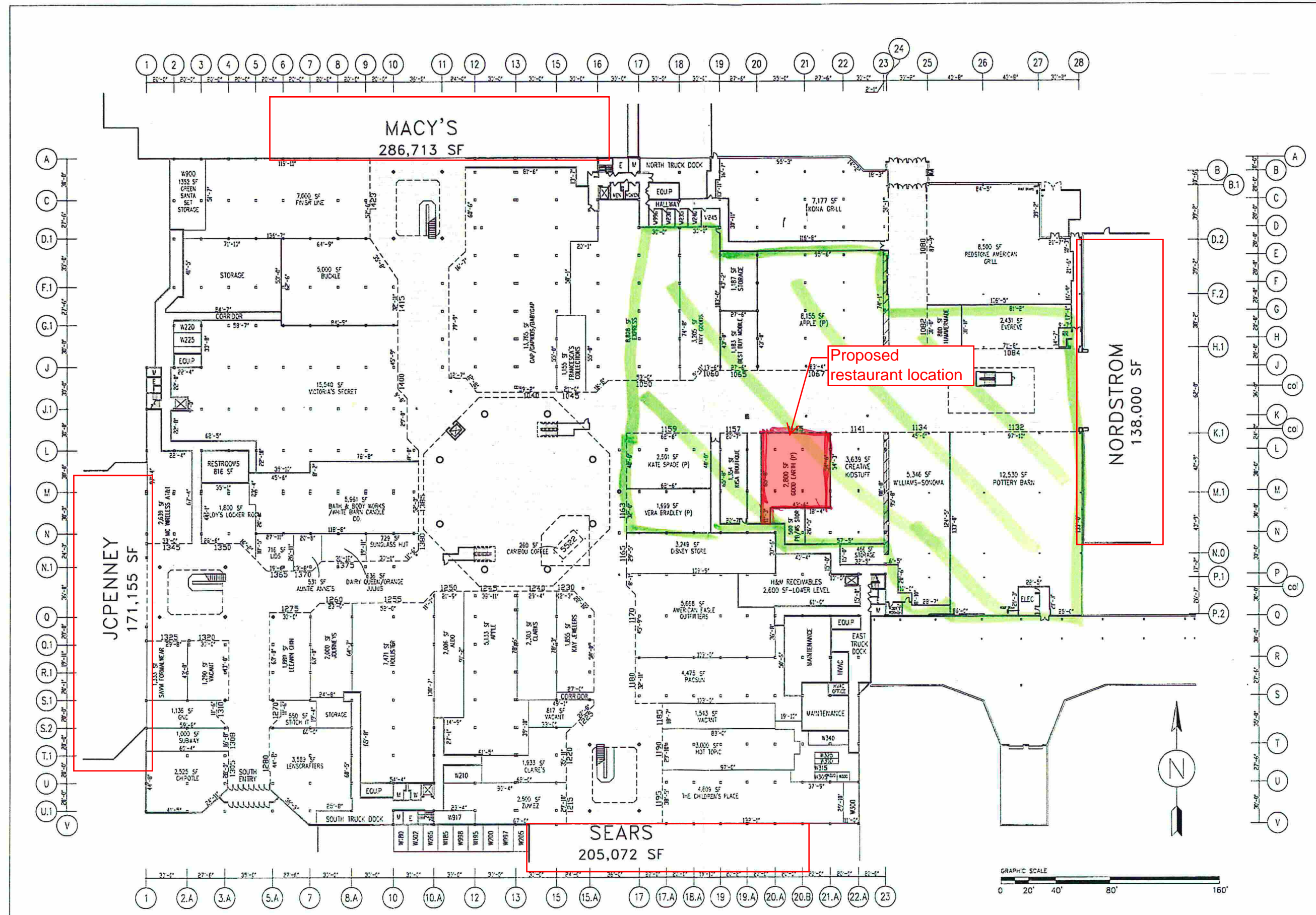
12401 WAYZATA BOULEVARD, 2ND FLOOR
MINNETONKA, MINNESOTA 55305-5604

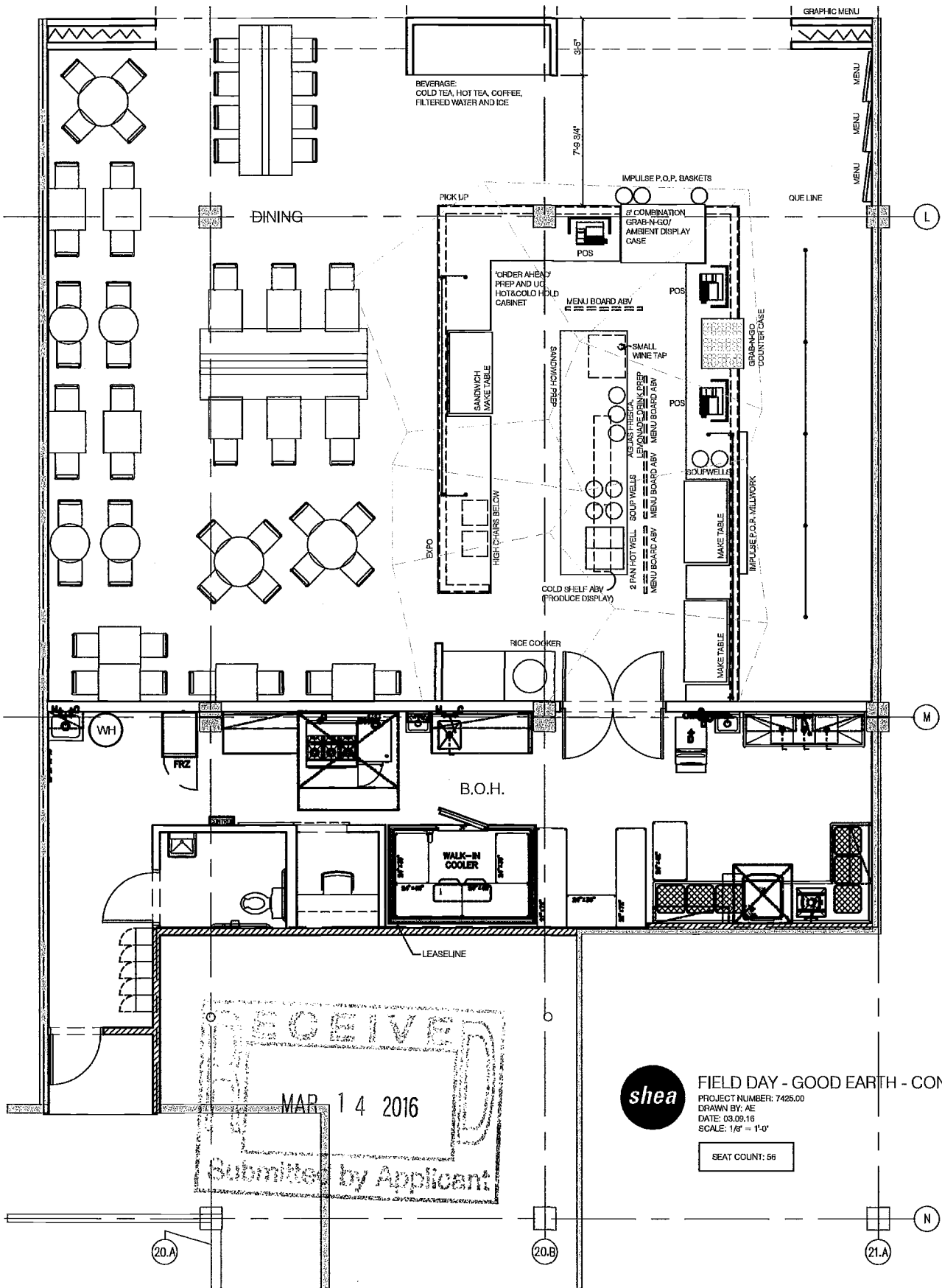
WHAT IS SHOWN ON THIS PLAN IS THE PROPERTY OF THE CLIENT AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE CLIENT. THE CLIENT ASSUMES ALL LIABILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED TO THE ARCHITECT AND FOR THE RESULTS OF ANY DESIGN OR CONSTRUCTION OF ANY SPACE BASED ON THE INFORMATION PROVIDED TO THE ARCHITECT.

PROJECT NO: 4285
DRAWN BY: KN
COPYRIGHT: General Growth Properties, Inc.

DESCRIPTION
LEASE PLAN
LOWER LEVEL

SHEET NO.
WLP1





FIELD DAY - GOOD EARTH - CONCEPT PLAN

PROJECT NUMBER: 7425.00
 DRAWN BY: AE
 DATE: 03.09.16
 SCALE: 1/8" = 1'-0"

SEAT COUNT: 56

RECEIVED
 MAR 14 2016
 Submitted by Applicant

City of Minnetonka
Liquor License Application
Field Day
Business Plan
March 4, 2016

1. Staffing – Field day will have a manager or lead employee on duty during all business hours and be staffed by full and part-time employees
2. Alcohol - Managers and alcohol serving staff will complete an alcohol training class. We are committed to workplace and public safety by ensuring responsible and legal sale of alcohol in the restaurant. All guests appearing under 35 years of age will be required to present a valid government ID for age verification. Field Day will participate in the City of Minnetonka’s Best Practices Program “Project Smart Choice”
3. Food to Liquor Ratio – alcohol sales are estimated at less than 3%
4. Hours of Operation – 10:00 A.M. to 9:00 P.M. every day except Sunday. Sunday hours are 11:00 A.M. to 6:00 P.M.
5. Entertainment – None
6. Menu – Draft menu attached
7. Orderly Appearance and Operation – The restaurant is entirely within Ridgedale Mall. Restaurant staff will ensure there is no graffiti or refuse within or on the restaurant leased premises. Rubbish and trash will be deposited in a central collection point provided by Ridgedale Mall
8. Noise Management - The restaurant is entirely within Ridgedale Mall. There will be background music within the leased premises

Greens

Sesame Salmon

Gently cooked sustainable Norwegian salmon with avocado, Napa cabbage, watercress, sesame wakame, chia & sesame seeds, ginger and tahini- yogurt vinaigrette

Thai-Style Beef Cobb Salad

Grass-fed braised beef, romaine, watercress, carrot, avocado, cucumber, egg, sprouted beans, peanuts and peanut-sweet chili vinaigrette

Chicken & Kale Caesar

Miso glazed organic chicken with baby kale and romaine, organic, cage-free eggs and ancient grains crumble. Tossed in a miso-kefir vinaigrette.

Mediterranean Market Veggie

Romaine, watercress, arugula, cucumber, ripe tomatoes, red onion, red peppers, quinoa tabbouleh, pepperoncini, feta, Kalamata olives and lemon-oregano vinaigrette

Fresh Mozzarella

Fresh mozzarella, ripe tomatoes, arugula, pesto chickpeas, fresh basil, Tuscan olive oil & balsamic vinegar

Superfood Energy

Baby kale, watercress and arugula, tossed with blueberries, apple, raw beet, chia & pumpkin seeds, toasted quinoa, ginger and avocado, with a green tea-kefir vinaigrette

Cashew Chicken Salad

A Good Earth classic. Slow roasted organic chicken, butter lettuce, tomato, cucumber, sprouted beans, avocado, toasted cashews, egg & Kalamata olives

Sandwiches & Wraps

Cashew Chicken

Our classic Cashew chicken salad made with chicken breast and cholesterol-free mayonnaise, topped with cashews on whole grain bread

Bahn Mi Wrap

Red curry braised beef, carrots, daikon, cucumber, cilantro, hummus on spinach tortilla

5-Spice Turkey Meatball Pita

Our house-made meatballs with tomato, avocado, cucumber, arugula, and sesame yogurt on low carb flatbread

Thai Chicken Wrap

Grilled chicken, jasmine rice, Napa slaw and spicy peanut sauce wrapped in a spinach tortilla

Garden Vegetable Hummus Wrap

Avocado, baby spinach, sprouts, cucumber, ripe tomato, Indian spices hummus on a spinach tortilla

DRAFT

Grain Bowls

Ancient Grains

Powerhouse grains including quinoa, amaranth, Kamut, farro & chia, tossed with Mediterranean vegetables, kale, arugula, Kalamata olives and feta. Finished with a lemon-cilantro vinaigrette and spicy pumpkin seeds

Bombay Vegetable

Ancient Grains flavored with tahini yogurt and Indian spices. Tossed with baby spinach, arugula, watercress, sprouted beans, chickpeas and lots of fresh veggies

Energy Bowl

Green tea infused quinoa, amaranth & chia seeds with power greens, apple, avocado, blueberries, raw beets, ginger and sprouted beans

Miso-Sesame Salmon

Sustainable Norwegian salmon with quinoa, sesame wakame, ginger, edamame, kale, avocado, raw vegetables and Chia & sesame seeds

Lemongrass Beef

Spicy braised beef with jasmine rice, farro, peanut sauce, kale, cucumber, edamame & vegetables, finished with a cooling cilantro yogurt

Kung Pao Turkey Meatballs

Teriyaki glazed turkey meatballs, with Kamut, spicy chickpeas, Napa cabbage, red peppers, edamame, roasted peanuts and sesame

Quinoa Chicken Bibimbap

Grilled organic chicken with ginger quinoa, baby greens, edamame, sesame wakame, kimchi, lightly pickled raw vegetables, sesame seeds and soft poached egg

Tea & Coffee

Iced Tea#1	Hot Tea#1	Coffee#1
Iced Tea#2	Hot Tea#2	Coffee#2
Iced Tea#3	Hot Tea#3	Coffee#3
	Hot Tea#4	Coffee#4
	Hot Tea#5	Coffee#5
	Hot Tea#6	

Juice

Field Day Juice Blend#1	Field Day Juice Blend#4	Field Day Juice Blend#6
Field Day Juice Blend#2	Field Day Juice Blend#5	Field Day Juice Blend#7
Field Day Juice Blend#3		Field Day Juice Blend#8

Organic Sodas & Water

Water, flat	Pop#1	Pop#5
Water, sparkling	Pop#2	Pop#6
	Pop#3	
	Pop#4	

Wine
bottle/glass

Pinot Grigio	Chardonnay	Pinot Noir
Sauvignon Blanc	Malbec	Cabernet Sauvignon

Beer
bottle

Beer#1	Beer#3	Beer#6
Beer#2	Beer#4	Beer#7
	Beer#5	

DRAFT

Resolution No. 2016-

Resolution approving a conditional use permit for Field Day, by Good Earth, a restaurant at Ridgedale Center at 12401 Wayzata Boulevard

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

Section 1. Background.

- 1.01 Field Day Ridgedale, LLC has requested a conditional use permit for a restaurant. (Project 03046.16a)
- 1.02 The property is located at 12401 Wayzata Boulevard. It is legally described as: TRACT E, REGISTERED LAND SURVEY NO. 1826
- 1.03 On April 14, 2016, the planning commission held a hearing on the proposal. The applicant was provided the opportunity to present information to the commission. The commission considered all of the comments received and the staff report, which are incorporated by reference into this resolution. The commission recommended that the city council approve the permit.

Section 2. Standards.

- 2.01 City Code §300.31 Subd. 4(b)2 outlines the general standards that must be met for granting a conditional use permit. These standards are incorporated into this resolution by reference.
- 2.02 City Code §300.31 Subd. 4(b)2(o) outlines the following specific standards that must be met for granting a conditional use permit for restaurants located on property designed for retail use:
 - 1. Must be in retail multiple tenant centers only and conform to the architecture of a specific center;
 - 2. Will not be permitted when traffic studies indicate significant impacts

on the levels of service as defined by the Institute of Traffic Engineers on the roadway system;

3. Outdoor seating areas will be approved only subject to the following:
 - a) Must be located in a controlled or cordoned area with at least one opening to an acceptable pedestrian walk. When a liquor license is involved, an enclosure is required and the enclosure shall not be interrupted; access must be only through the principal building;
 - b) Must be setback at least 200 feet and screened from any adjacent property designed in the comprehensive plan for residential use;
 - c) Must be located and designed so as to not interfere with pedestrian and vehicular circulation;
 - d) Must be located next to an entrance to the main use;
 - e) Must be equipped with refuse containers and periodically patrolled for litter pick-up;
 - f) Must not have speakers for audio equipment that is audible from adjacent residential parcels; and
 - g) Must meet building setback requirements.
4. Drive-up windows and related stacking spaces will be approved only subject to the following:
 - a) Public address systems must not be audible from any residential parcel; and
 - b) Stacking for a minimum of six cars per aisle must be provided subject to applicable parking lot setbacks.
 - c) Must be setback at least 100 feet and screened from any adjacent property designated in the comprehensive plan for residential use.
5. Restaurants or fast-food restaurants with less than 1,200 square feet gross floor area, designed seating capacity not exceeding 25, having no drive-up window and located in retail multiple tenant centers are

exempt from the requirements of this section and are considered to be standard retail use. For tenants and accessory fast-food restaurants, the 1,200 square foot calculation would include the total gross area of all restaurants and fast-food restaurants within the tenant space.

Section 3. Findings.

3.01 The proposal meets the general conditional use permit standards outlined in City Code §300.31 Subd.4(b)2.

3.02 The proposal meet all but one of the specific conditional use permit standards outlined in City Code §300.31 Subd. 4(b)2(o).

1. The restaurant would be interior to the mall. As an interior tenant, Field Day would apply their trade dress to their interior entrance. The trade dress of the entrance would be regulated by the Ridgedale. There would be no evidence of the restaurant on the exterior of the mall.
2. The traffic within the Ridgedale area has been studied extensively. The traffic associated with the restaurant can be accommodated within the existing roadway system and on-site parking areas.
3. The proposal does not include an outdoor eating area.
4. The proposal does not include a drive-up window.
5. The restaurant would exceed 1,200 square feet. As such, the requirements of this section would apply to the proposal.

Section 4. City Council Action.

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

1. Subject to staff approval, the restaurant must be developed and maintained in substantial conformance with the following plans, except as modified below:
 - Lease plan submitted March 14, 2016
 - Floor plan submitted March 14, 2016
2. Prior to issuance of a building permit this resolution must be recorded

with Hennepin County.

- 3. The restaurant must obtain all applicable food and liquor licenses from the city.
- 4. The city council may reasonably add or revise conditions to address any future unforeseen problems.
- 5. Any change to the approved use that results in a significant increase in traffic or significant change in character would require a revised conditional use permit.

Adopted by the City Council of the City of Minnetonka, Minnesota, on April 25, 2016.

Terry Schneider, Mayor

Attest:

David E. Maeda, City Clerk

Action on this resolution:

Motion for adoption:
 Seconded by:
 Voted in favor of:
 Voted against:
 Abstained:
 Absent:
 Resolution adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Minnetonka, Minnesota, at a meeting held on April 25, 2016.

David E. Maeda, City Clerk

MINNETONKA PLANNING COMMISSION
April 14, 2016

Brief Description	Side yard setback variance for a garage and living space addition at 14524 Idylwood Road
Recommendation	Adopt the resolution approving the variance

Background The subject property is located on the north side of Idylwood Road, just east of Williston Road. It is improved with a roughly 1,600 square foot home and 440 square foot garage. The structures, which are located on the far west side of the property, have an interesting history. According to city records, the home was constructed in 1947. The garage and associated breezeway were constructed in 1957. It appears that two separate surveys were submitted for the garage/breezeway construction. The first survey, submitted with the building permit application, indicated that the garage would be constructed 1.5 feet from the west property line. The second survey, evidently an as-built survey submitted prior to the final building inspection, revealed “the garage to be *on* [the] lot line.” The permit record goes on to note that the owner was “fined \$50.” In 1957, the Village of Minnetonka had no zoning ordinance and, therefore, no setback requirements. Staff suspects the fine was based on either: (1) the discrepancy between the proposed and actual setback; or (2) the final location of the garage *on* the property line. (See pages A1–A2.)

A survey conducted in 2013 indicates the garage is actually two feet *over* the side property line. (See page A4.)

Proposal The current property owners are proposing to remove the existing garage and breezeway and construct a new garage and two story living addition. The new construction, which would have a footprint of roughly 25 feet by 43 feet, requires a setback variance from 10 feet to 3.6 feet. (See pages A4–A8.)

Staff Analysis Staff finds that the proposal would meet the variance standard outlined in city code:

- **Reasonableness.** The proposed garage and living addition would be reasonably situated given the location and internal layout of the existing home.

- **Unique Circumstance and Neighborhood Character.** The location of the existing house, situated on the far west side of the property, and the location of the existing garage, partially situated on the adjacent property to the west, are both circumstances unique to the subject property. Though the garage and addition would not meet setback requirements, the proposed setback would improve the existing situation. It would not negatively impact neighborhood character.

Staff Recommendation

Adopt the resolution approving a side yard setback variance for a garage and living space addition at 14524 Idylwood Road. (See pages A9–A12.)

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

Supporting Information

Surrounding Land Uses	The subject property is surrounded by single-family properties zoned R-1
Planning	Guide Plan designation: Low-density residential Zoning: R-1
Variance Standard	A variance may be granted from the requirements of the zoning ordinance when: (1) it is in harmony with the general purposes and intent of the ordinance; (2) it is consistent with the comprehensive plan; and (3) when an applicant establishes that there are practical difficulties in complying with the ordinance. Practical difficulties mean that the applicant proposes to use a property in a reasonable manner not permitted by the ordinance, the plight of the landowner is due to circumstances unique to the property not created by the landowner, and, the variance if granted, would not alter the essential character of the locality. (City Code §300.07)
Natural Resources	Best management practices must be followed during the course of site preparation and construction activities. This would include installation and maintenance erosion control fencing
Neighborhood Comments	The city sent notices to 45 area property owners and received no comments to date.
Motion Options	The planning commission has three options: <ol style="list-style-type: none">1. Concur with the staff recommendation. In this case a motion should be made to adopt the resolution approving the request.2. Disagree with staff's recommendation. In this case, a motion should be made denying the request. This motion must include a statement as to why the request is denied.3. Table the request. In this case, a motion should be made to table the item. The motion should include a statement as to why the request is being tabled with direction to staff, the applicant, or both.
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.

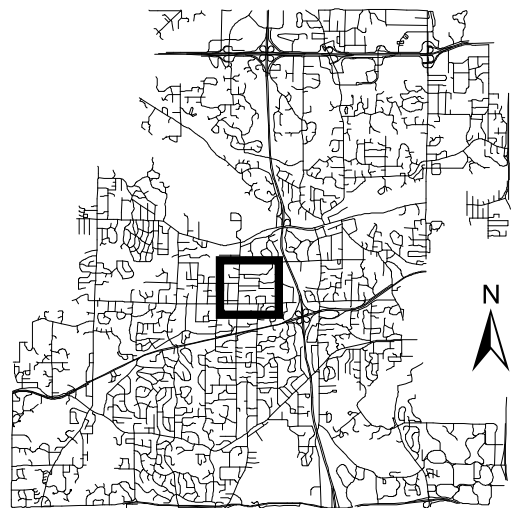
**Deadline for
Decision**

July 11, 2016



Location Map

Applicant: William Campbell
 Address: 14524 Idylwood Rd
 Project No. 16004.16a



This map is for illustrative purposes only.

DWELLINGS and COMMERCIAL BUILDINGS OF LESS THAN 2000 SQ. FT.

Name of Builder: **BAUMAN, PAUL W.**
 Name of Owner: **NOBLE, JOHN C.**
 Phone No. **WE. 9-2129**

Address **6001 TINDALE MAPS.**
 Address **6 IDYLWOOD P.O. HOPKINS.**
 Permit No. **6572**

SEC. NO. **21** PARCEL NO. **700** LOT **E. 180' OF W. 933 OF No. 1/2 OF S 1/2 OF N 1/2** BLOCK **14524** ADDITION or SUBDIVISION **SE 1/4, NE 1/4**

Describe Land: Elevation, Drainage
 Check Plot Plan

Studdings	Rafters	Ceiling Joists
Size 2x4	Size 2x4	Size
Spacing 24 & 16	Spacing 16"	Spacing
Plates	Span	Longest Span
	Bracing	

Year **1957** Purpose of Building **GARAGE & BREEZEWAY**
 Construction

Frame _____ Stucco _____
 Brick Veneer _____ Brick, Solid _____
 Stone _____ Cement Block _____

Exits No.	Door Width	Stairway Width

Footings	Depth	Least Depth
	Width	Below Grade 42"

Glass Area
 To Outside
 To Open Porch
 Percentage of Floor Area

Foundation	Construction	Size

Ventilation Area
 Percentage of Floor Area

Basement
 Ground Drainage
 Floor
 Bearing Posts, size & spacing
 Beams Size & Span

Insulation

Lintels	Location	Size	Span
2x12	DR.	4x12	15'

Chimneys
 Foundation
 Height above Roof
 Smoke Pipe distance from joists

VALUE \$1800
6/6/57 - BAUMAN SAID FOOTINGS DR-42"
Check Breezeway.

Floors
 Sub Flooring
 Joists
 Size
 Spacing
 Bearing
 Bridging
 Spalers in steel beams

CHECKED MEASUREMENTS OF GARAGE & BREEZEWAY FOUND GARAGE 20'6" & BREEZEWAY 7' OR TOTAL OF 27'6" SURVEY BY JEPSEN SHOWS 29' FROM HO. TO LOT LINE LINES 1'6" FROM GARAGE TO LOT LINE. SURVEY BY CARDARELLE SHOWS GARAGE TO BE ON LOT LINE SIGNED HSC 11/24/57 COMPLETE

RECEIPT NO. **245** DATE **5/13/57**
 BLDG. **5.00** ELEC. **3.00** PLUMB. TOTAL **8.00**
 Permit Issued **5/13/57**

To: City of Minnetonka Planning Department

From William and Deborah Campbell
14524 Idylwood Road
Minnetonka MN, 55345

Subject: Written Statement for Variance Application

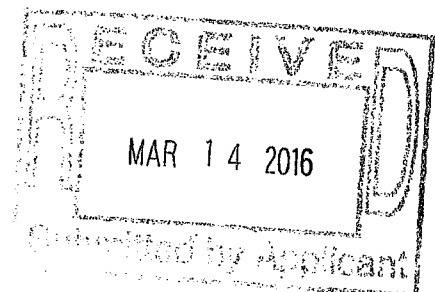
We purchased the property in September 1984. As part of the purchase, a plat drawing was supplied (see attached) that showed there was 5 ft of setback from the garage to the property line on the west side of the lot. During our time living here, we heard that our neighbor to the west was irritated because he believed our garage was on his property. Last year we began looking at improving/expanding our dwelling and did a survey to find out specifically where the line was and discovered that the garage actually was built over the line before we bought the property. We have looked at various design options for the building project and have decided the best option was to tear down the existing garage and build another with living space behind and above. Because a garage must be a certain size, it was possible to rebuild it so it was not across the line but it would require a variance to the setback requirement. (see attached drawings)

This is the best plan for a number of reasons. Not only does it make the most sense because the plumbing is all on the west side of the house, it also solves a problem that was created long before we moved in. Having the garage across the line could potentially cause problems for both property owners in the future if trying to sell. It also would remedy a mistake that was created many years ago.

This project and variance would not change the character of the neighborhood because the new structure would occupy nearly the same space as it does now. The alternate plan would be to leave the garage where it is (over the property line) and build on the east side of the house, increasing the footprint considerably, reducing the lot open space and creating a more difficult build.

After review of this information , we are sure the city will agree this is the best solution.

Respectfully submitted:
William J Campbell
Deborah J Campbell



EXISTING CONDITIONS

MAR 14 2010
MAY 14 2010
LEGAL DESCRIPTION:
East 180.0 feet of West 933 feet of North One-half of South One-half of North One-half of Southeast Quarter of Northeast Quarter Section 21, Township 117, Range 22, Hennepin County, Minnesota.

GENERAL NOTES:

1. The bearing system used is assumed.
2. The location of the underground utilities shown herein, if any, are approximate only. PURSUANT TO USA 216D CONTACT GOPHER STATE ONE CALL AT (612) 454-0002 PRIOR TO ANY EXCAVATION.
3. Site area = 26,602 square feet.
4. This survey was made on the ground.
5. No current title work was furnished for the preparation of this survey, legal description, recorded or unrecorded easements and encumbrances are subject to revision upon receipt of current title work.



LEGEND

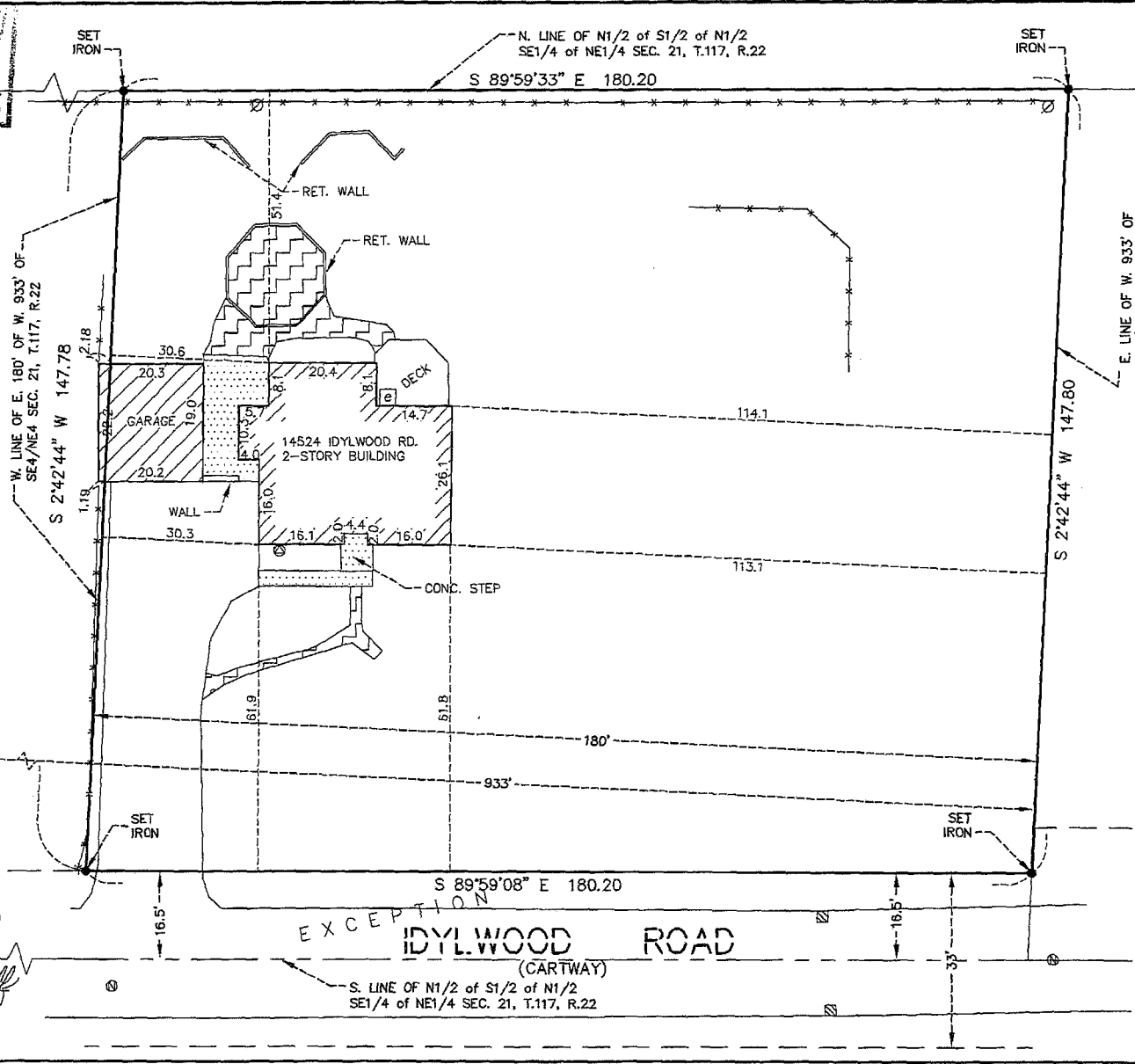
- FOUND IRON Found Property Monument
- SET IRON Set Property Monument (Minn. Reg. No. 23677)
- Concrete Concrete
- Concrete Concrete
- Patio Covers
- Overhead Electric
- Electric Meter
- Power Pole
- Light Pole
- Gas Meter
- Sanitary Manhole
- Catchbasin

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 Registered Land Surveyor under the laws of the State of Minnesota.

Date: August 5, 2013

Thomas E. Hodorff
Minn. Reg. No. 23677



HARRY S. JOHNSON CO. INC.
LAND SURVEYORS & CONSULTANTS
9063 Lyndale Avenue South
Bloomington, Mn. 55420
(952) 884-5344
(952) 884-5344 Fax
Email: tom@hjsurveyors.com
Web: www.hjsurveyors.com



LOT CERTIFICATION SURVEY

for:
IAN CAMPBELL
SITE: 14524 IDYLWOOD ROAD
MINNETONKA, MINNESOTA

Page	9
Block	633
Sub	2013326
CAD File	ONI
Sheet No	1 OF 1
Plan No	1-3-8621M

Revision History:

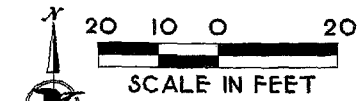
CAD File: 2013.DWG
Path: J:\2013\DWG\

PROPOSED CONDITIONS

MAR 14 2016
LEGAL DESCRIPTION:
 East 180.0 feet of West 933 feet of North One-half of South One-half of North One-half of Southeast Quarter of Northeast Quarter Section 21, Township 117, Range 22, Hennepin County, Minnesota.

GENERAL NOTES:

1. The bearing system used is assumed.
2. The location of the underground utilities shown hereon, if any, are approximate only. PURSUANT TO MSA 216D CONTACT GOPHER STATE ONE CALL AT (812) 454-0002 PRIOR TO ANY EXCAVATION.
3. Site area = 26,602 square feet.
4. This survey was made on the ground.
5. No current title work was furnished for the preparation of this survey, legal description, recorded or unrecorded easements and encumbrances are subject to revision upon receipt of current title work.



LEGEND

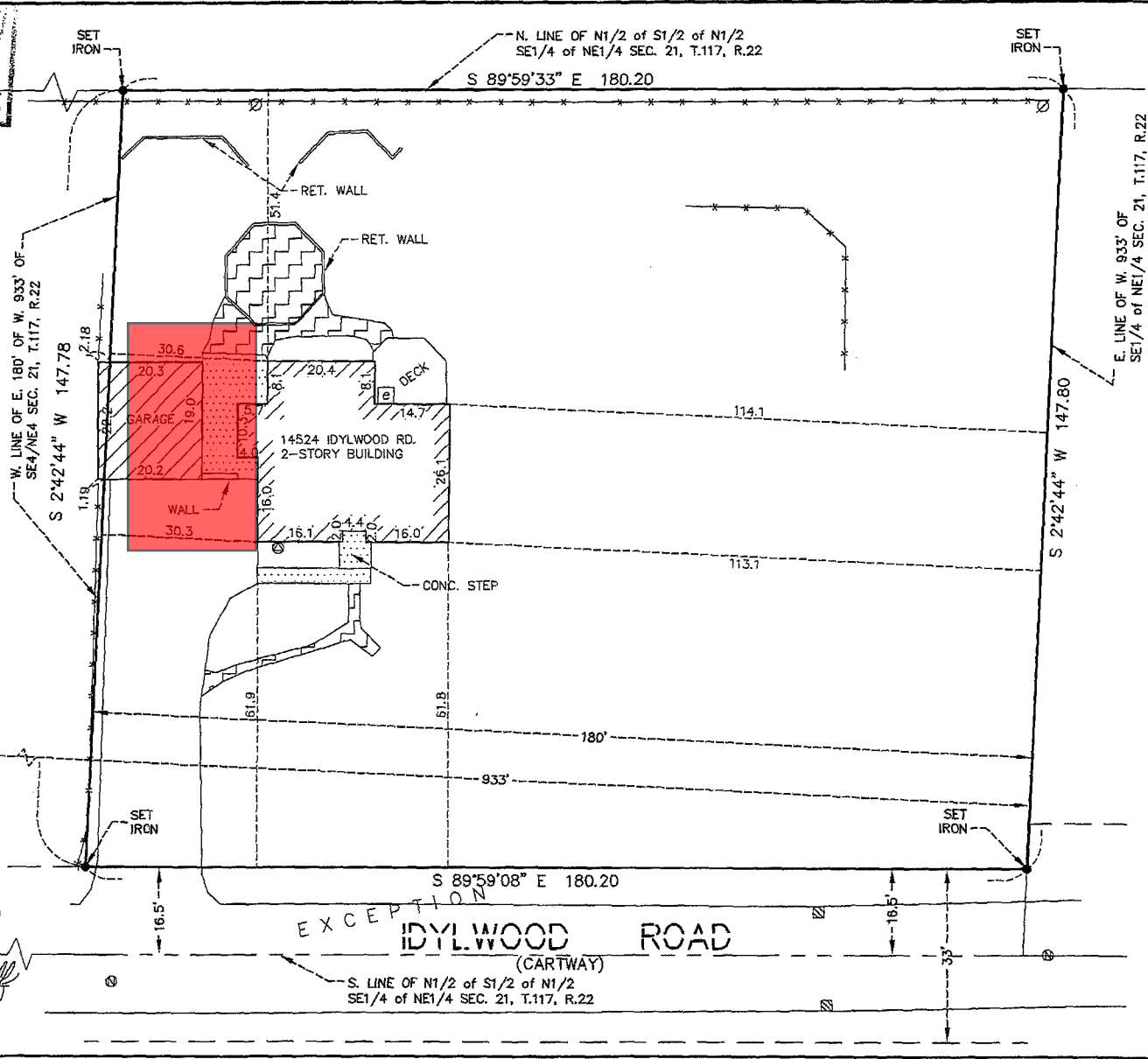
- FOUND IRON Found Property Monument
- SET IRON Set Property Monument (Minn. Reg. No. 23677)
- Concrete
- Concrete
- Patio Covers
- Overhead Electric
- Electric Meter
- Power Pole
- Light Pole
- Gas Meter
- Sanitary Manhole
- Catchbasin

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 Registered Land Surveyor under the laws of the State of Minnesota.

Date: August 5, 2013

Thomas E. Hodoroff
 Thomas E. Hodoroff
 Minn. Reg. No. 23677



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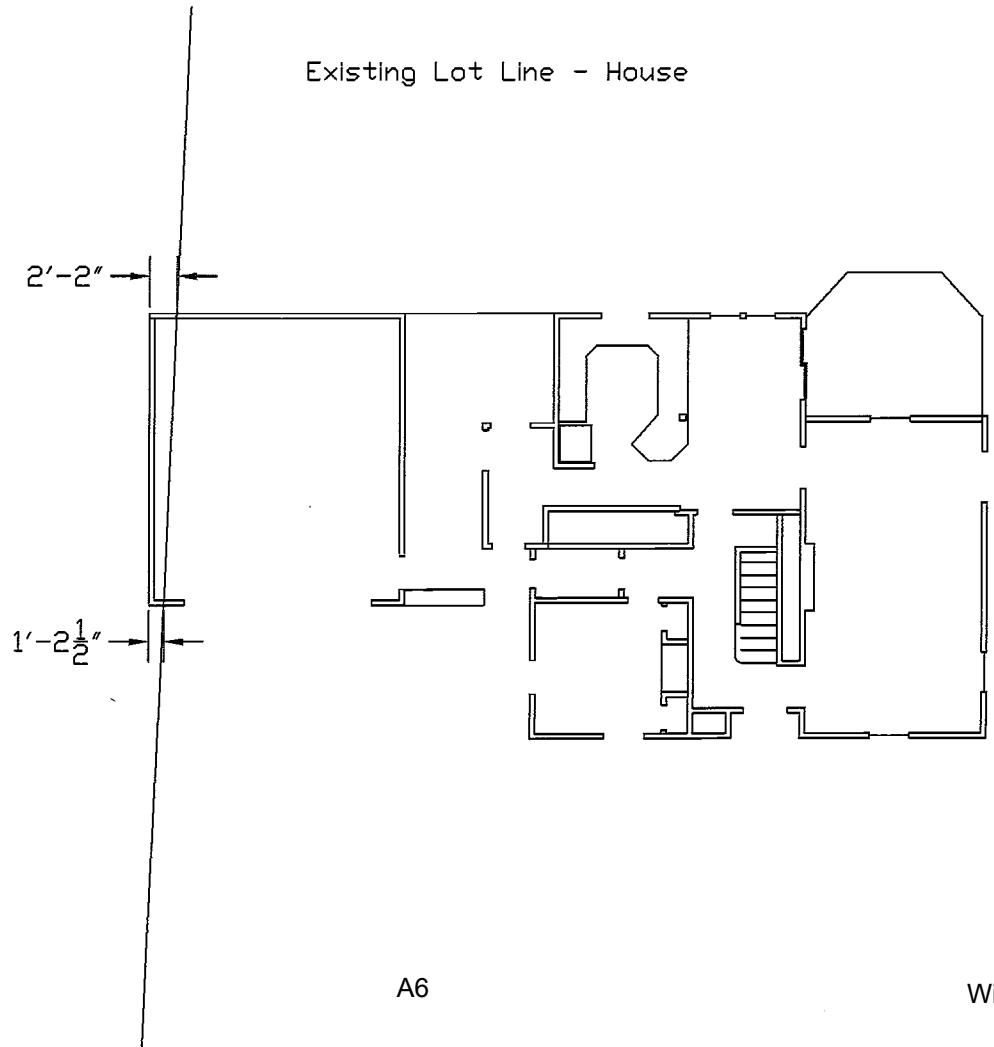
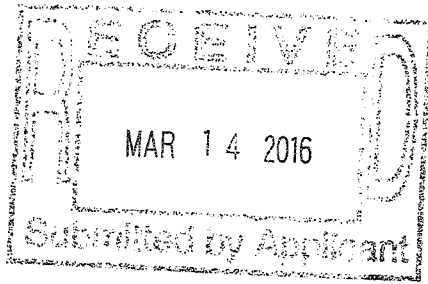
LOT CERTIFICATION SURVEY
 for:
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Page	9
Book	633
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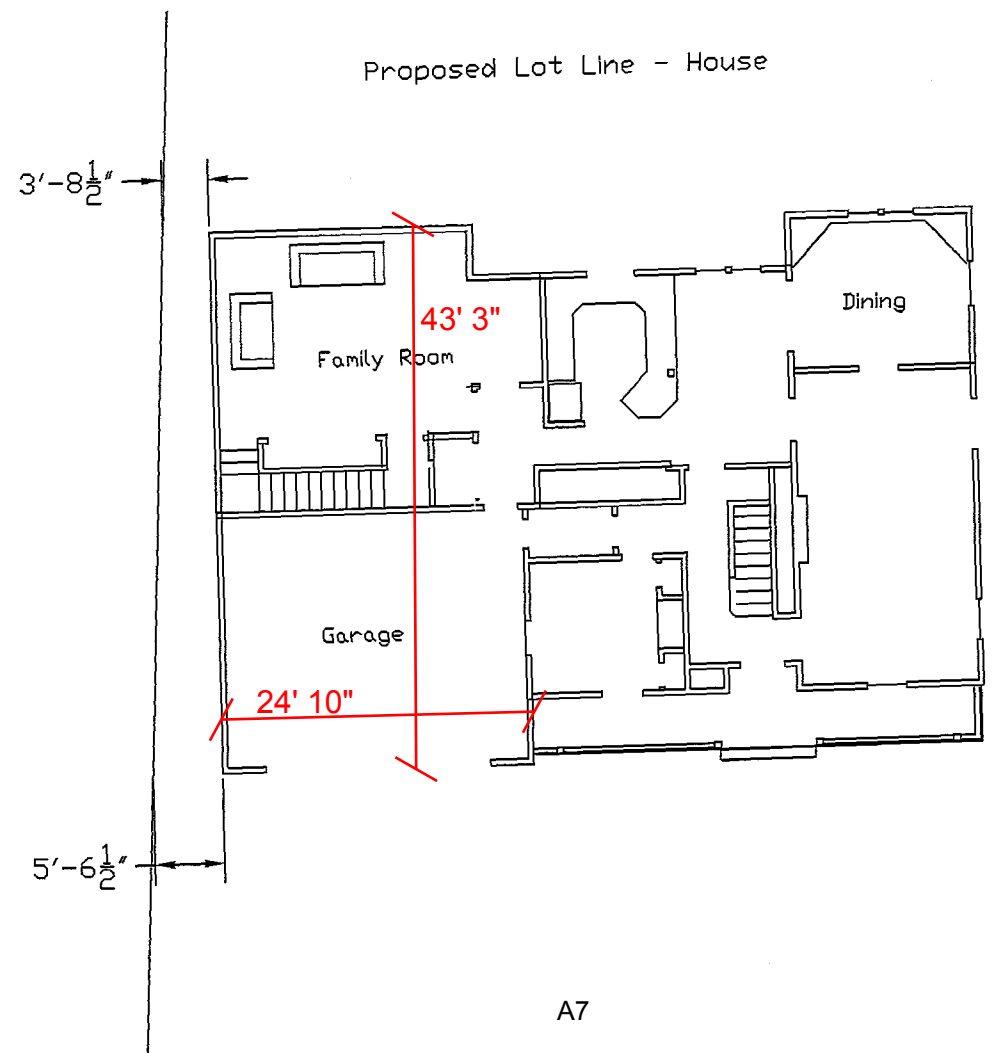
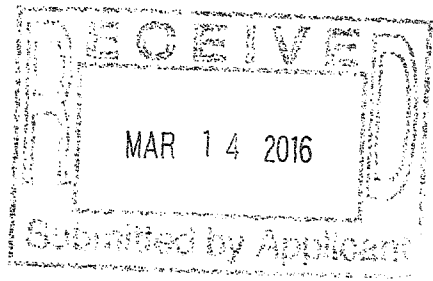
EXISTING CONDITIONS



A6

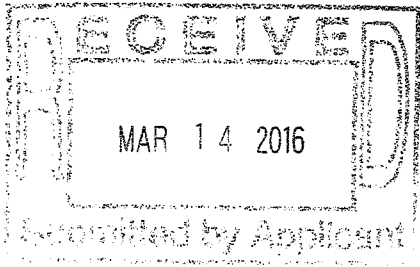
William and Deborah Campbell
14524 Idylwood Road
#16004.16a

PROPOSED CONDITIONS

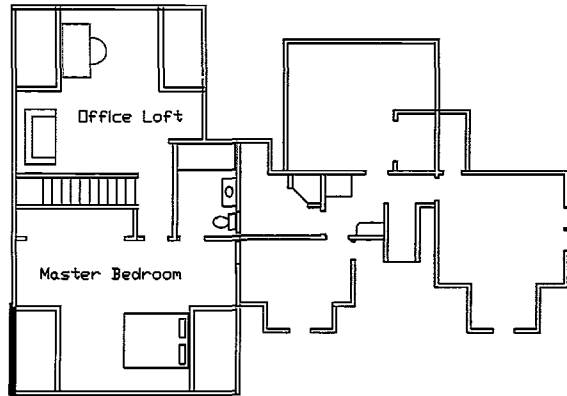
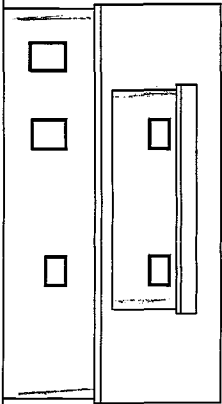


A7

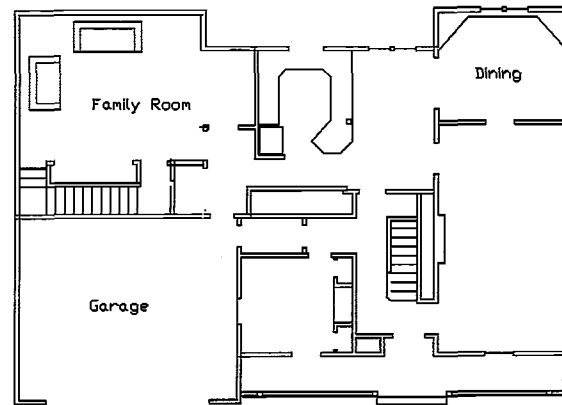
William and Deborah Campbell
14524 Idylwood Road
#16004.16a



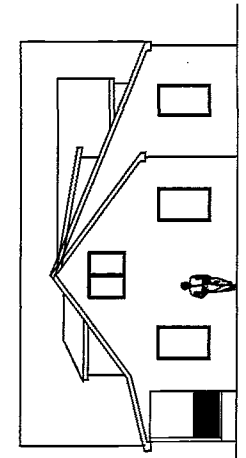
New Elevation



2nd Floor



Ground Floor



New Elevation



New Elevation



Existing Elevation

William and Deborah Campbell
14524 Idylwood Road
#16004.16a

Planning Commission Resolution No. 2016-

Resolution approving a side yard setback variance for a garage and living space addition at 14524 Idylwood Road

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 14524 Idylwood Road. It is legally described as:

East 180 feet of West 933 feet of North One-half of South One-half of North One-half of Southeast Quarter of Northeast Quarter, Section 21, Township, 117 Range 22, Hennepin County, Minnesota.

1.02 The property is improved with a 1,600 square foot home and 440 square foot garage. The structures are located on the far west side of the property and were constructed in 1947 and 1957 respectively. Both predate adoption of the city's first zoning ordinance.

1.03 By City Code §300.10, residential structures must maintain a minimum ten-foot side yard setback. A 2013 survey revealed that the existing garage is actually located two feet over the west side property line.

1.04 The current property owners, William and Deborah Campbell, are proposing to remove the existing garage and associated breezeway and construct a new garage and living space addition. The new garage and addition would be set back 3.6 feet from the west side property line.

1.05 A side yard setback variance from 10 feet to 3.6 feet is required.

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

Section 2. Standards.

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

Section 3. Findings.

3.01 The proposal meets the variance standard outlined in City Code §300.07 Subd. 1(a):

1. **PURPOSE AND INTENT OF THE ZONING ORDINANCE:** The intent of the side yard setback requirements is to provide appropriate and consistent setbacks between individual structures on adjacent properties. The proposed setback would meet this intent. Though less than 10 foot setback requirement, the proposed 3.6 foot setback would actually improve the existing situation.
2. **CONSISTENT WITH COMPREHENSIVE PLAN:** The proposed variance is consistent with the comprehensive plan. The guiding principles in the comprehensive plan provide for maintaining, preserving, and enhancing existing single-family neighborhoods. The requested variance would preserve the residential character of the neighborhood, and would provide investment in the property to enhance its use.
3. **PRACTICAL DIFFICULTIES:** There are practical difficulties in complying with the ordinance:
 - a) **REASONABLENESS:** The proposed garage and living addition would be reasonably situated given the location and internal layout of the existing home.
 - b) **UNIQUE CIRCUMSTANCE and CHARACTER OF LOCALITY:** The location of the existing house, situated on the far west side of the property, and the location of the existing garage, partially situated on the adjacent property to the west, are both circumstances unique to the subject property. Though the garage and living space addition would not meet setback requirements, the proposed setback would improve

the existing situation. It would not negatively impact neighborhood character.

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:
 - Building elevations and floor plans date-stamped March 14, 2016
2. Prior to issuance of a building permit:
 - a) Submit a survey clearly illustrating the proposed garage and living space addition. The survey must indicate:
 - 1) The proposed garage and living space addition will be located a minimum of 3.6 feet from the west side property line; and
 - 2) The minimum floor elevation will be 989.2.
 - b) A copy of this resolution must be recorded with Hennepin County.
 - c) Install erosion control fencing as required by staff for inspection and approval. The fencing must be maintained throughout the course of construction.
3. This variance will end on December 31, 2017, 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 April 14, 2016

Brian Kirk, 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 April 14, 2016.

Kathy Leervig, Deputy City Clerk

Minnetonka Planning Commission Meeting

April 14, 2016

Agenda Item 8

Public Hearing: Non-Consent Agenda

MINNETONKA PLANNING COMMISSION
April 14, 2016

Brief Description Site plan review for a parking lot expansion at 5900 Clearwater Drive.

Recommendation Adopt the resolution approving the request

Background The subject property is located within the 76-acre Minnetonka Corporate Center. The site is developed with two office buildings that are connected by an enclosed walkway and are served by a 380 stall parking lot.

Proposal Charles Youngquist, on behalf of property owner, ALTUS MCC, LCC, is proposing to expand the parking area on the southeast side of the building. As proposed, 44 new parking stalls would be constructed, essentially linking two existing parking lots. (See pages A1–A7.)

Staff Analysis Staff supports the applicant’s proposal for two reasons:

1. The number of parking stalls currently on the site is not consistent with either: (1) the original site and building plans approval for the property; or (2) the code requirement for the property. The proposal would represent a balance between these numbers.

	Parking Stalls
Constructed Stalls	380
Originally Approved Stalls (1983)	441
Required Stalls	412
Proposed Stalls	424

2. The proposed parking lot would be consistent with parking locations and setbacks throughout the Minnetonka Corporate Center.

Staff Recommendation

Adopt the resolution approving final site plan for a parking lot expansion at 5900 Clearwater Drive. (See pages A8–A13.)

Originator: Susan Thomas, AICP, Assistant City Planner

Through: Loren Gordon, AICP, City Planner

Supporting Information

Surrounding Land Uses The subject property is surrounded by office and industrial land uses.

Planning Guide Plan designation: mixed use
 Zoning: PUD

Parking The two existing buildings are considered “industrial flex” buildings. In other words, building space may be dedicated to any combination of office or warehousing use. As the code-required parking for office and warehouse varies significantly, the specific parking requirement for the site could technically vary through time as the combination of office/warehouse changes.

Use	Required parking
Office	1 stall per 250 gross sq.ft.
Warehouse	1 stall per 1,000 gross sq.ft.

For the purposes of this report, staff calculated required parking under a “worst case scenario.” But for a medical clinic within the building that was previously approved by conditional use permit, staff assumed the entirety of building was occupied as office.

Use	Area	Ratio	Required Parking
Office	79,605 sq.ft.	1 stall per 250 gross sq.ft.	318
Clinic	16,442 sq.ft.	1 stall per 175 gross sq.ft.	94
TOTAL	96,047 sq.ft.		412

Grading and Trees Under existing conditions, grade slopes downward from the southeast side of the office buildings to Clearwater Drive. This topography would be altered to accommodate the proposed parking. The area of the new parking would be leveled and the downward slope essentially “pushed” toward the roadway. This grading would result in removal of, or significant impact to, seven to eight trees. Such removal/impact is allowed under city code, but mitigation is also required.

Stormwater The proposal triggers both the city and Nine Mile Creek Watershed District rules. To meet these rules – which regulate runoff volume, rate, and quality – a stormwater ponding area

would be constructed in the southwest corner of the site. (See page A5.)

SBP Standards

The proposal would 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 city planning, engineering, natural resources, public works, fire, and legal staff and found to be generally consistent with the city's development guides.

2. Consistency with this ordinance;

Finding: The proposal would be generally consistent with the zoning ordinance, as well as the original master development plan for the area.

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 subject property is a developed site within an existing office park. As such, though the proposal would result in grading and tree removal, impact would not be to natural topography or native-growth trees.

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 site design is intuitive, would result in appropriate location of parking areas, and would establish appropriate circulation patterns for vehicular traffic.

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 site design is intuitive, would result in appropriate location of parking areas, and would establish appropriate circulation patterns for vehicular traffic.

- 5. 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 standard pertains primarily to structures. The proposal would not alter the existing buildings.

- 6. 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 proposed parking lot would be consistent with parking locations and setbacks throughout the Minnetonka Corporate Center. The proposal would not negatively impact adjacent or neighboring properties.

**Neighborhood
Comments**

The city sent notices to 20 area property owners and received no comments to date.

Motion Options

The planning commission has three options:

- 1. Concur with the staff recommendation. In this case a motion should be made to adopt the resolution approving the request.

2. Disagree with staff's recommendation. In this case, a motion should be made denying the request. This motion should include reasons 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.

**Deadline for
Decision**

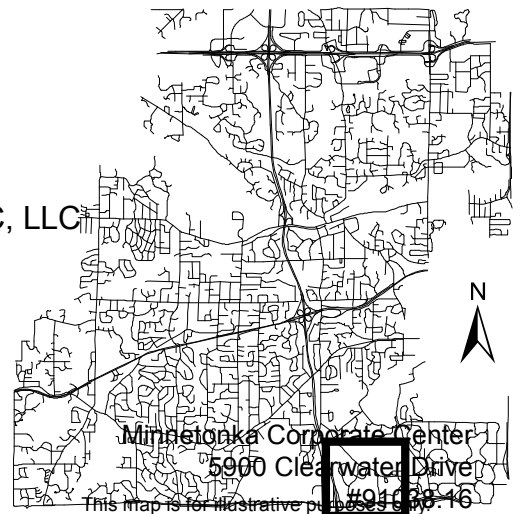
July 11, 2016



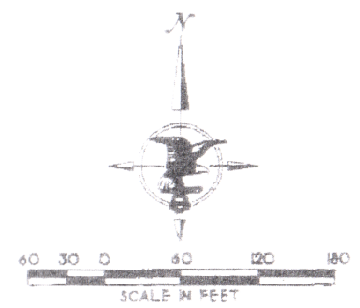
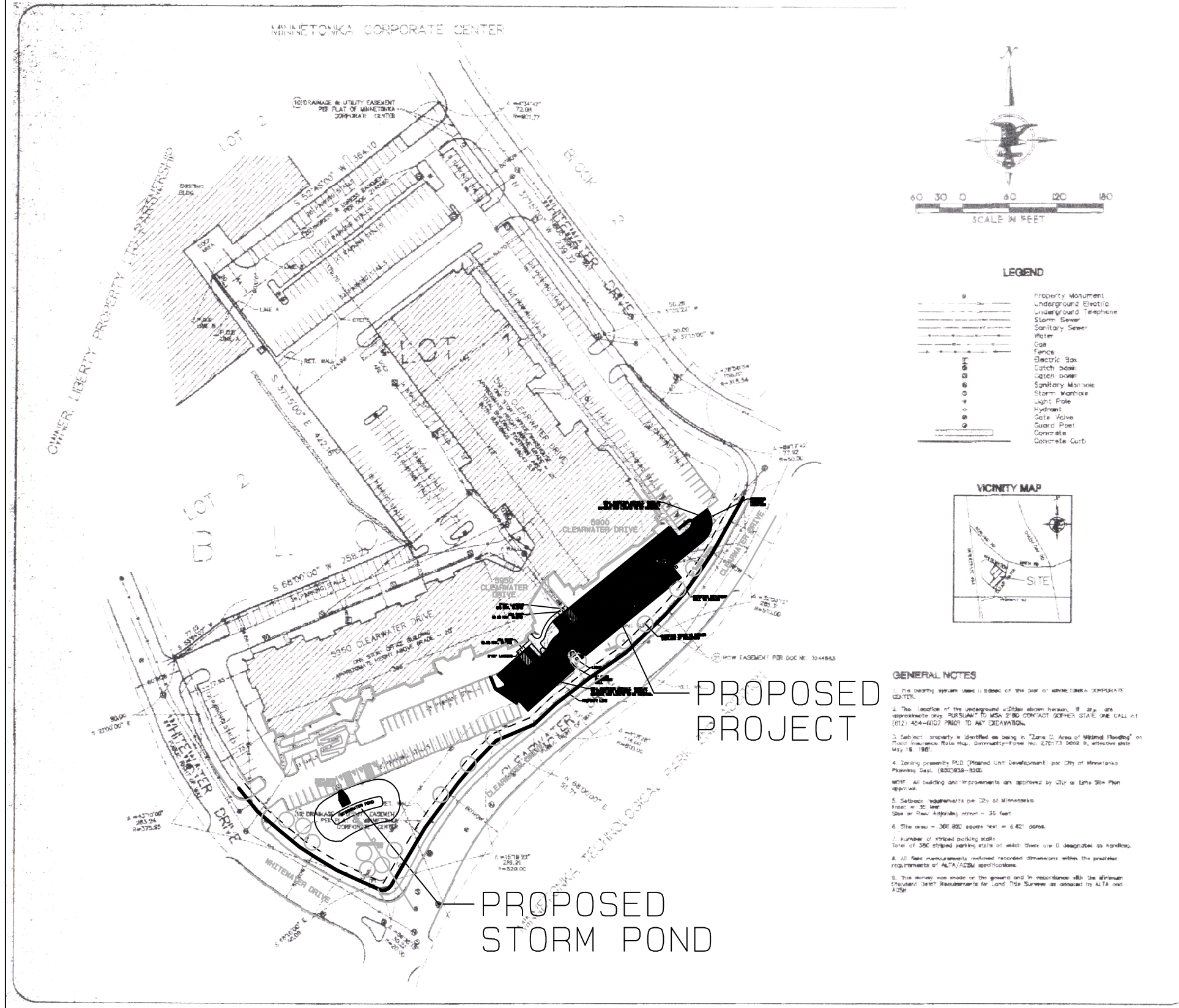
Location Map

Project: Minnetonka Corporate Center
 Applicant: Charles Youngquist on behalf of Altus MCC, LLC
 Address: 5900 Clearwater Drive

City of
minnetonka
Where quality is our nature

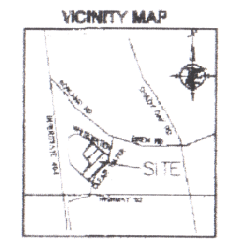


SURVEY



LEGEND

Symbol	Description
Circle with dot	Property Monument
Circle with cross	Underground Electric
Circle with asterisk	Underground Telephone
Circle with triangle	Storm Sewer
Circle with square	Sanitary Sewer
Circle with diamond	Water
Circle with plus	Fence
Circle with x	Electric Box
Circle with dot	Catch basin
Circle with cross	Sanitary Manhole
Circle with asterisk	Storm Manhole
Circle with triangle	Light Pole
Circle with diamond	Hydrant
Circle with plus	Gate Valve
Circle with x	Guard Post
Circle with dot	Concrete Curb



- GENERAL NOTES**
- The bearing system used is based on the base of MINNETONKA CORPORATE CENTER CO-TEL.
 - The location of the underground utilities shown herein, if any, are approximate only. PURSUANT TO MSA 230.00 CONTACT Gopher State ONE CALL AT (612) 454-6107 PRIOR TO ANY DEDICATION.
 - Subject property is identified as being in "Zone 2, Area of Mild Flooding" on Flood Insurance Rate Map, Community-Flood No. 27073 0002 B, effective date May 18, 1982.
 - Zoning permits P10 (Planned Unit Development) per City of Minnetonka Planning Dept. (800)819-8000.
 - All building and improvements are approved by City of Epps Site Plan approval.
 - Setback requirements per City of Minnetonka: Front = 35 feet, Side or Rear Adjacent Street = 35 feet.
 - Site area = 361,800 square feet = 8.421 acres.
 - Number of striped parking stalls: Total of 356 striped parking stalls of which there are 0 designated as handicap.
 - All field measurements reflected recorded dimensions within the practice requirements of ALTA/ACSM specifications.
 - This survey was made on the ground and in accordance with the Minnesota Standard Detail Requirements for Land Title Surveys as provided by ALTA and ACSM.

LEGAL DESCRIPTION

Lot 1, Block 1, Minnetonka Corporate Center, Hennepin County, Minnesota
 Taxmap Certificate Number: 752748

Note: Legal description describes same property as described in First American Title Insurance Company, File No. NCS-03774-MPLS dated August 29, 2023.

NOTES CORRESPONDING TO SCHEDULE B:

- Consent for utilities and drainage purposes as shown on the recorded plat of Minnetonka Corporate Center, SHOWN ON SURVEY.
- Location of the right of access from above lot to State Highway No. 484 controlled by the State of Minnesota is instrument recorded in Book 283 of Deeds, page 887, Document No. 208423 and Book 68 of Hennepin County Records, page 3753705 1997, 484 DCEI NOT A.D.O.N. SUBJECT PROPERTY.
- State Finance assessment upon above lot in favor of the State of Minnesota as set forth in instrument recorded in Book 80 of Hennepin County Records, page 3753725, DCEI NOT EFFECT PROPERTY.
- Terms, conditions, easements, other right-of-way, restrictions, obligations and provisions as contained in the Agreement dated July 10, 1983, recorded September 14, 1983, as Document No. 1035488, NOTED TO SHOW CLEARWATER DRIVE.
- Agreements for drainage and access purposes, together with any easements, rights, and covenants, conditions and restrictions as contained in the Agreement concerning Lotowners and Real Covenants for Driveway Access dated December 31, 1986, recorded January 20, 1987, as Document No. 2148985, SHOWN ON SURVEY.
- Agreements for public right of way purposes, together with any easements, rights, in favor of the State of Minnesota, as contained in the Suburban Open-Covenant dated June 5, 1986, recorded June 24, 1986, as Document No. 3044483 AS SHOWN ON SURVEY.

STATEMENT OF ENCROACHMENTS:
 No aboveground encroachment is visible.

LAND TITLE SURVEY
 ALTA/ACSM
 for:
OPPENHEIMER WOLF & DONNELLY LLP
 5900 & 5950 CLEARWATER DRIVE
 MINNETONKA, MN

PRINTED
 DEC 12 2023

CERTIFICATION
 I hereby certify to sufficient knowledge, a Minnesota Corporation and First American Title Insurance Company and to their satisfaction and belief, that I have surveyed on the ground, the property legally described herein, that this plat or map is a true, correct and accurate drawing and representation of said property and of the site, location, exterior dimensions and boundaries thereof, that the above addresses, locations and dimensions of all buildings and the location of all parking areas, of any other improvements upon said property, of all fences thereon, of all recorded and/or visible easements, of all streets, roads, utility lines (to their points of connection with the public network) and other improvements shown herein, based on corner, well property, and/or all building setback lines which affect said property are correctly and accurately shown herein, that there are no discrepancies, conflicts, gaps, boundary disputes, encroachments, or other improvements upon said property, of all fences thereon, of all recorded and/or visible easements, of all streets, roads, utility lines (to their points of connection with the public network) and other improvements shown herein, based on corner, well property, and/or all building setback lines which affect said property, except as shown herein, that the legal description of said property as set out herein, is correct, complete and accurate, and that any portion of said property which is located in a flood plain or in any other flood hazard or flood control area, as designated by applicable governmental authorities, is shown and identified and such hazard.

Dated: December 9, 2023
Thomas E. Heortel
 Thomas E. Heortel, L.S.
 Minn. Reg. No. 23677

HARRY S. JOHNSON CO., INC.
 LAND SURVEYORS & CONSULTANTS
 BLOOMINGTON, MINNESOTA
 PHONE: 612-884-8841 FAX: 612-884-8844

1 OF 1
 1-3-5825A
 582
 2003543
 58
 ONI



5616 DALRYMPLE RD
 EDINA, MN 55424
 BUS: (612) 220-0152
 email: info@elliottdesignbuild.com

ALTUS
 5900-5950 CLEARWATER
 MINNETONKA, MN

PARKING LOT EXPANSION

PROJECT NO. E154

DATE 1-14-16

REVISION	NO.	DATE
WATERSHED COMMENTS	1	3-4-16

PRELIMINARY NOT FOR CONSTRUCTION

CIVIL SHEET INDEX

SHEET	TITLE
CO	PROJECT VICINITY MAP
C1	GRADING AND UTILITY PLAN
C2	SITE PLAN
C3	STORM POND CONSTRUCTION

DRAWING TITLE:
VICINITY MAP
DRAWING NUMBER:

NOT TO SCALE

5616 DALRYMPLE RD
EDINA, MN 55424
BUS: (612) 220-0152
email: info@elliottdesignbuild.com

ALTUS
5900-5950 CLEARWATER
MINNETONKA, MN

**PARKING LOT
EXPANSION**

PROJECT NO. E154

DATE 1-14-16

REVISION	NO.	DATE
WATERSHED COMMENTS	1	3-9-16

**PRELIMINARY
NOT FOR
CONSTRUCTION**

CIVIL SHEET INDEX

SHEET	TITLE
C0	PROJECT VICINITY MAP
C1	GRADING AND UTILITY PLAN
C2	SITE PLAN
C3	STORM POND CONSTRUCTION

DRAWING TITLE:

**SITE
PLAN**

DRAWING NUMBER:

C2

Minnetonka Corporate Center
5900 Clearwater Drive
#91038.16

MILL EXISTING ASPHALT, OVERLAY
TO MATCH NEW PAVEMENT, ASPHALT
OUTSIDE NEW LIMITS TO BE REMOVED.

5900
CLEARWATER DRIVE

5950
CLEARWATER
DRIVE

7'X5' LANDING
(2% MAX. SLOPE)

ADA RAMP
(8.3% MAX. SLOPE)

ADA RAMP
(8.3% MAX. SLOPE)

5'X5' LANDING

LIGHT

1' HIGH
RETAINING
WALL

MILL EXISTING ASPHALT, OVERLAY
TO MATCH NEW PAVEMENT, ASPHALT
OUTSIDE NEW LIMITS TO BE REMOVED.

PROPERTY LINE

LIGHT

10' PARKING SETBACK

EXISTING RETAINING
WALL TO REMAIN

EXISTING TREES TO REMAIN
(REPLACE IF REQUIRED)

PROPOSED
HYDRANT
LOCATION

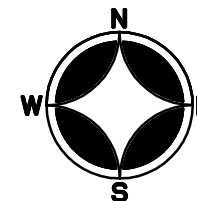
ASPHALT PAVING:

3" ASPHALT (1.5" MV4 BASE 1.5" MV3 WEAR) OVER
6" MNDOT CLASS V

CONCRETE WALKS: 5" DEPTH, 5000#, 5% AIR,
OVER 6" COMPACTED GRANULAR FILL

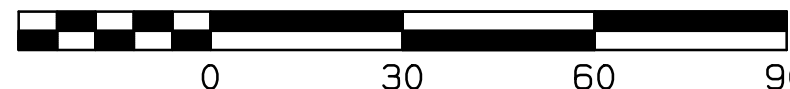
PARKING CALCULATIONS

TOTAL STALLS: 52
ADA STALLS INC. IN TOTAL: 4
NET STALLS GAINED: 44
REGULAR PARKING STALL DIM: 9'X18'
MINIMUM DRIVE ISLE WIDTH: 24'



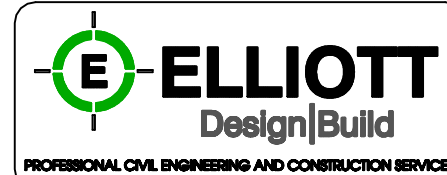
GRAPHIC SCALE

1"=30'



GENERAL NOTES:

1. INSTALL INLET PROTECTION AT ALL CATCH BASIN INLETS, WHICH RECEIVE RUNOFF FROM THE DISTURBED AREAS.
2. CONTRACTOR IS RESPONSIBLE TO VISIT THE SITE PRIOR TO BIDDING TO ASSURE SCOPE OF WORK IS UNDERSTOOD AND IS TO CONTACT ENGINEER PRIOR TO BIDDING FOR ANY CLARIFICATION NEEDED. THERE WILL BE NO ADDITIONAL COMPENSATION FOR ITEMS THAT COULD HAVE BEEN CLARIFIED PRIOR TO BID SUBMITTALS.
3. VERIFY ALL REMOVALS AND SCOPE OF WORK.
4. STATE LAW REQUIRES NOTIFICATION OF GOPHER ONE CALL FOR LOCATION OF UTILITY OWNED LINES 48 HOURS PRIOR TO BEGINNING WORK. PRIVATE UTILITY LINES WILL NOT BE LOCATED AS PART OF GOPHER ONE CALL, BUT CAN BE LOCATED BY A CONTRACT LOCATOR OR OTHER SUITABLE MEANS. CONTRACTOR IS RESPONSIBLE FOR LOCATING ALL UTILITY LINES PRIOR TO CONSTRUCTION.
5. BACKGROUND SURVEY BY HARRY S. JOHNSON SURVEYORS



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EDINA, MN 55424
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email: info@elliottdesignbuild.com

ALTUS
5900-5950 CLEARWATER
MINNETONKA, MN

PARKING LOT EXPANSION

PROJECT NO. E154

DATE 1-14-16

REVISION	NO.	DATE
WATERSHED COMMENTS	1	3-9-16

**PRELIMINARY
NOT FOR
CONSTRUCTION**

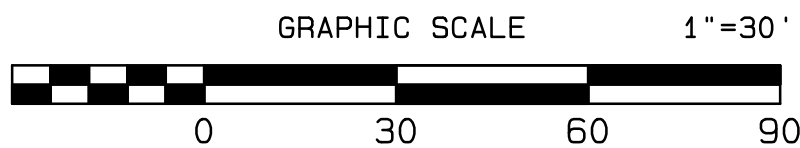
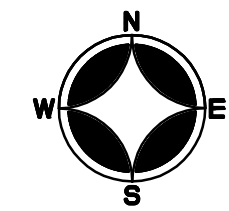
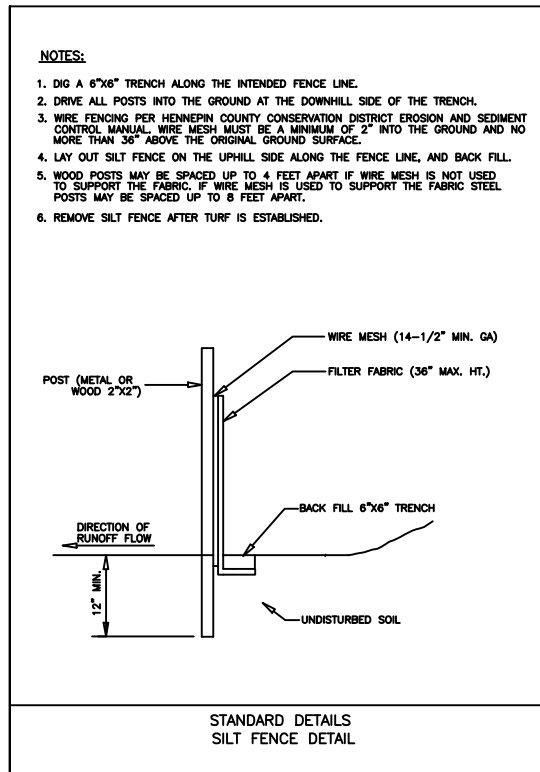
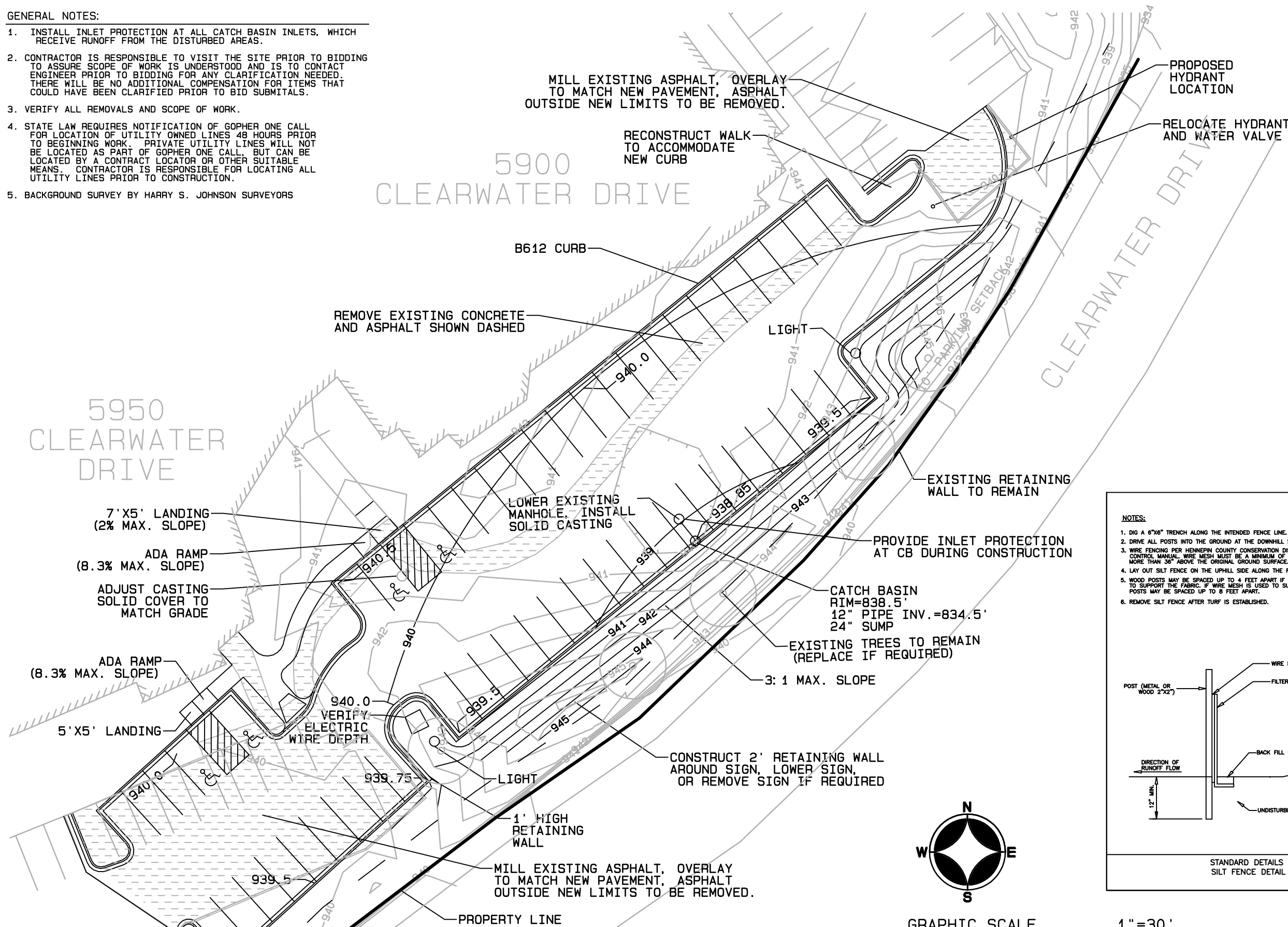
CIVIL SHEET INDEX

SHEET	TITLE
C0	PROJECT VICINITY MAP
C1	GRADING AND UTILITY PLAN
C2	SITE PLAN
C3	STORM POND CONSTRUCTION

DRAWING TITLE:
**GRADING &
UTILITY
PLAN**
DRAWING NUMBER:

C1

Minnetonka Corporate Center
5900 Clearwater Drive
#91038.16



A4

5616 DALRYMPLE RD
EDINA, MN 55424
BUS: (612) 220-0152
email: info@elliottdesignbuild.com

ALTUS
5900-5960 CLEARWATER
MINNETONKA, MN

PARKING LOT EXPANSION

PROJECT NO. E154

DATE 1-14-16

REVISION	NO.	DATE
WATERSHED COMMENTS	1	3-9-16
WATERSHED COMMENTS	2	3-28-16

**PRELIMINARY
NOT FOR
CONSTRUCTION**

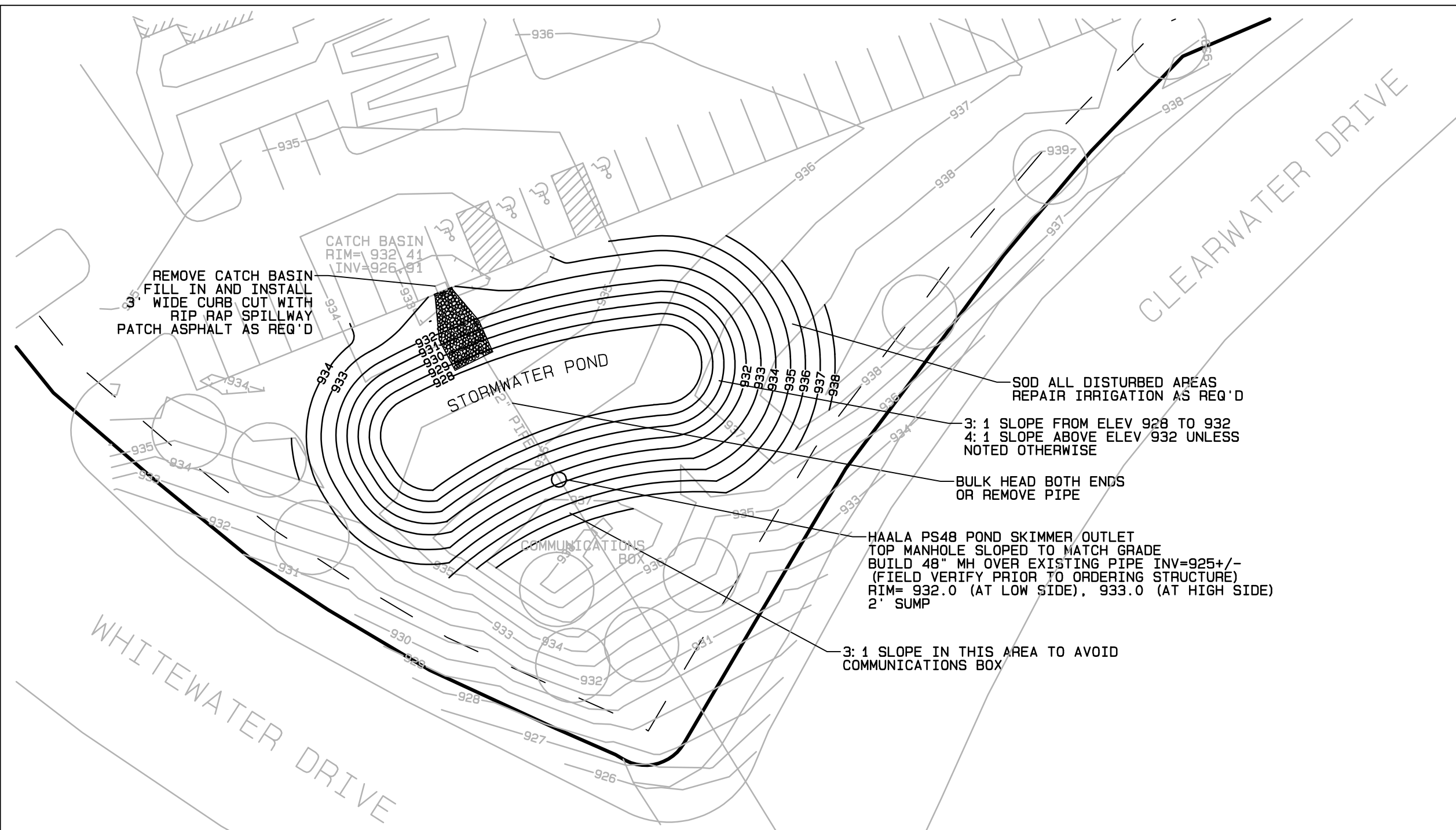
CIVIL SHEET INDEX

SHEET	TITLE
C0	PROJECT VICINITY MAP
C1	GRADING AND UTILITY PLAN
C2	SITE PLAN
C3	STORM POND CONSTRUCTION

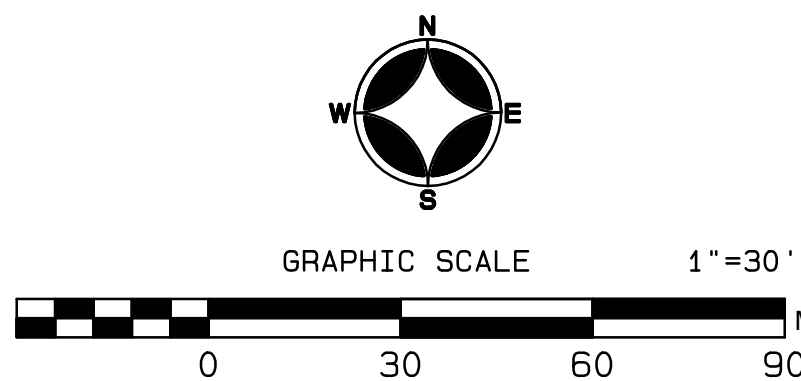
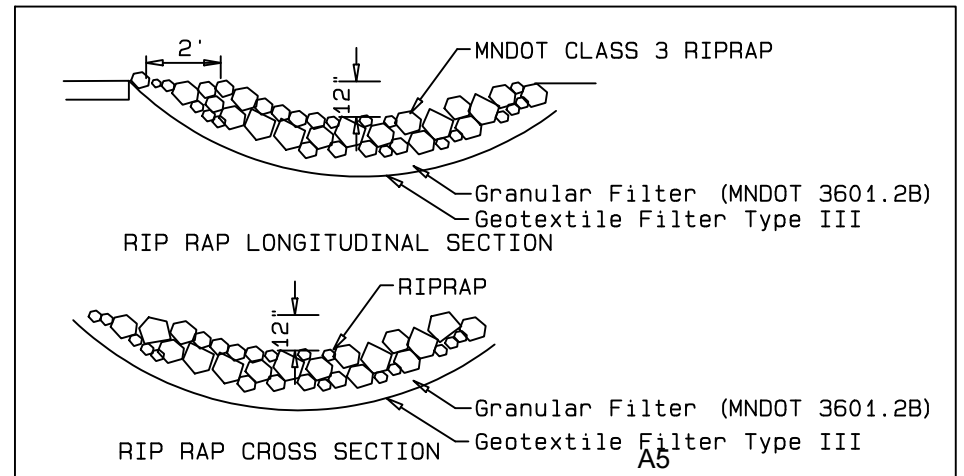
DRAWING TITLE:
**STORM POND
CONSTRUCTION
PLAN**
DRAWING NUMBER:

C3

Minnetonka Corporate Center
5900 Clearwater Drive
#91038.16



State Law requires notification of Gopher One Call for location of utility owned lines 48 hours prior to beginning work. Private utility lines will not be located as part of Gopher One Call, but can be located by a contract locator or other suitable means. Contractor is responsible for locating all utility lines prior to construction.



Plants

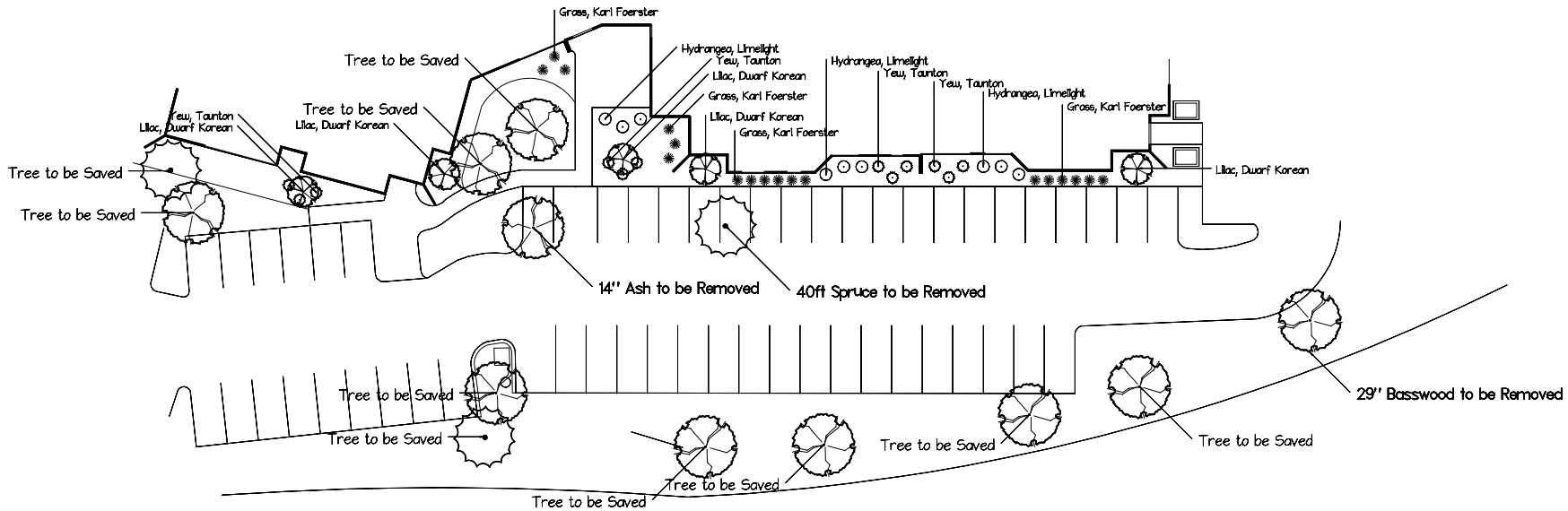
5	#20	Lilac, Dwarf Korean
18	#3	Grass, Karl Foerster
12	#5	Yew, Taunton
9	#5	Hydrangea, Little Lime

Landscape Hardgoods

- All landscape beds to be mulched with 4" of dark brown shredded hardwood
- All beds to be treated with Preen weed preventer
- All landscape plants to be watered by drip irrigation
- All disturbed sod is to be restored o previous condition
- All damaged irrigation is to be repaired and replaced

Trees to be Removed

- 1 29" Basswood
- 1 14" Ash
- 1 40ft Spruce



Hydrangea,
Limestone



Yew,
Taunton



Grass,
Karl Foerster



Lilac,
Dwarf Korean Tree

NOTES

Minnetonka Corporate Center
5900 Clear Water Dr,
Minnetonka, MN 55343
Parking Lot Expansion



Landscape Plan With
Tree Removal Plan

SCALE: 1"=20'	PROJECT NO.
DRAWN BY	DATE
CHECKED BY	REVISED

Minnetonka Corporate Center
5900 Clearwater Drive

Plants

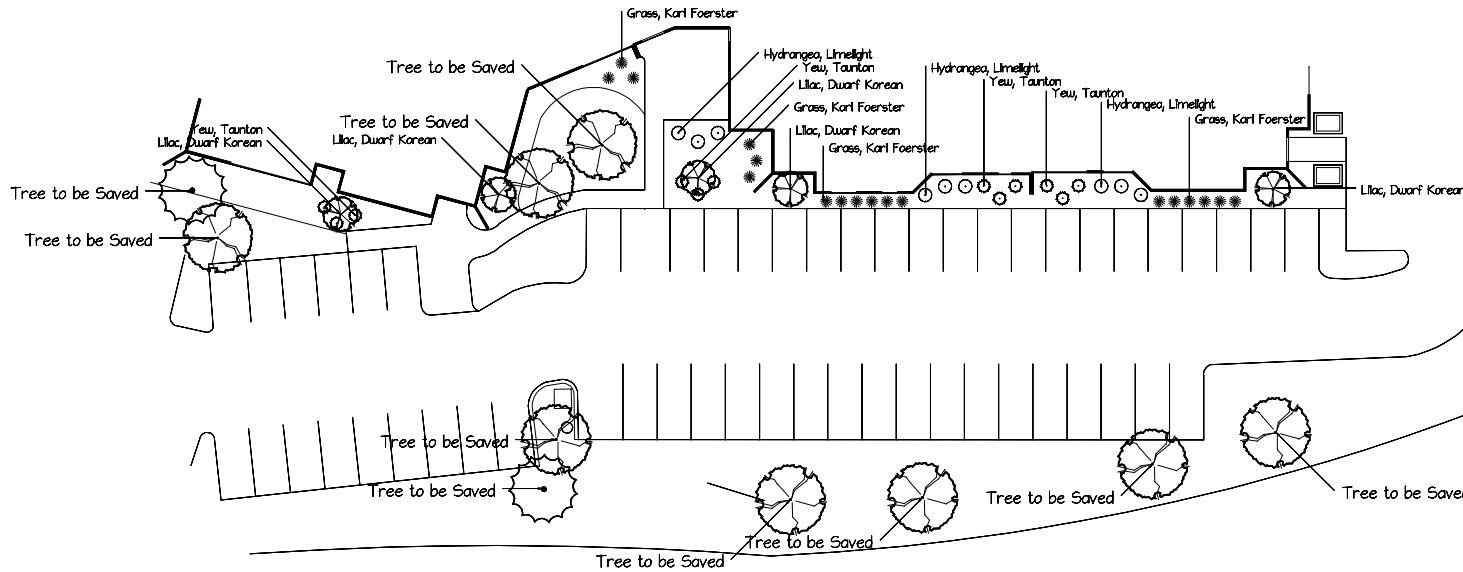
5	#20	Lilac, Dwarf Korean
18	#3	Grass, Karl Foerster
12	#5	Yew, Taunton
9	#5	Hydrangea, Little Lime

Landscape Hardgoods

- All landscape beds to be mulched with 4" of dark brown shredded hardwood
- All beds to be treated with Preen weed preventer
- All landscape plants to be watered by drip irrigation
- All disturbed sod is to be restored to previous condition
- All damaged irrigation is to be repaired and replaced

Trees to be Removed

- | 29" Basswood
- | 14" Ash
- | 40ft Spruce



Hydrangea, Limelight



Yew, Taunton



Grass, Karl Foerster



Lilac, Dwarf Korean Tree

NOTES

Minnetonka Corporate Center
5900 Clear Water Dr,
Minnetonka, MN 55343
Parking Lot Expansion



Landscape Plan

SCALE 1"=20'	PROJECT
DRAWN	SHEET
DATE	

Minnetonka Corporate Center
5900 Clearwater Drive

#91038.16

Planning Commission Resolution No. 2016-

Resolution approving the final site plan for a parking lot expansion at 5900 Clearwater Drive

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

Section 1. Background.

1.01 Charles Youngquist, representing property owner ALTUS MCC, LLC, has requested site approval for a parking lot expansion at 5900 Clearwater Drive

1.02 The property is legally described as: Lot 1, Block 1, Minnetonka Corporate Center.

Section 2. Standards.

2.01 City Code §300.27, Subd. 5, outlines that the following must be considered in the evaluation of site and building plans:

1. Consistency with the elements and objectives of the city's development guides, including the comprehensive plan and water resources management plan;
2. Consistency with this ordinance;
3. Preservation of the site in its natural state to the extent practicable by minimizing tree and soil removal and designing grade changes to be in keeping with the general appearance of neighboring developed or developing areas;
4. Creation of a harmonious relationship of buildings and open spaces with natural site features and with existing and future buildings having a visual relationship to the development;

-
5. Creation of a functional and harmonious design for structures and site features, with special attention to the following:
 - 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.
 6. Promotion of energy conservation through design, location, orientation and elevation of structures, the use and location of glass in structures and the use of landscape materials and site grading; and
 7. Protection of adjacent and neighboring properties through reasonable provision for surface water drainage, sound and sight buffers, preservation of views, light and air and those aspects of design not adequately covered by other regulations which may have substantial effects on neighboring land uses.

Section 3. Findings.

- 3.01 The city has considered the items outlined in City Code §300.27, Subd. 5 and finds the following:
1. The proposal has been reviewed by city planning, engineering, natural resources, public works, fire, and legal staff and found to be generally consistent with the city's development guides.
 2. The proposal would be generally consistent with the zoning ordinance, as well as the original master development plan for the area.

-
3. The subject property is a developed site within an existing office park. As such, though the proposal would result in grading and tree removal, impact would not be to natural topography or native-growth trees.
 4. The proposed site design is intuitive, would result in appropriate location of parking areas, and would establish appropriate circulation patterns for vehicular traffic.
 5. The proposal would not negatively impact adjacent or neighboring properties.

Section 4. City Council Action.

4.01 The above-described site and building plans are hereby approved subject to the following conditions:

1. Subject to staff approval, the site must be developed and maintained in substantial conformance with the following plans, except as modified by the conditions below:
 - Site Plan, with revision date March 9, 2016
 - Grading Plan, with revision date March 9, 2016
 - Landscape Plan, dated February 1, 2016
2. A grading permit is required. Unless authorized by appropriate staff, no site work may begin until a complete grading permit application has been submitted, reviewed by staff, and approved.
 - a) The following must be submitted for the grading permit to be considered complete.
 - 1) An electronic PDF copy of all required plans and specifications.
 - 2) Three full size sets of construction drawings and project specifications.
 - 3) Final site, grading, stormwater management, landscape, tree mitigation, and natural resource protection plans, and a stormwater pollution prevention plan (SWPPP) for staff approval.
 - a. Final site plan must:

-
1. Illustrate that the radius of the 90-degree turn will meet fire department requirements.
 2. Include a minimum 26-foot width to comply with fire code requirements. The 2-foot increase in width should be toward the building so as to maintain a minimum 15-foot setback from property lines.
- b. Final stormwater management plan must meet Nine Mile Creek Watershed District Rules and the requirements of city's Water Resources Management Plan, Appendix A Design. The plan must include a narrative indicating conformance with watershed and city rules, impervious surface information, soil boring data, and modeling demonstrating rate control and water quality treatment.
 - c. Final landscaping and tree mitigation plans must:
 1. Clearly show all trees within and adjacent to the project area and clearly identify all trees to be removed.
 2. Include seven to eight trees to be planted consistent with the tree removals proposed. Staff may administratively reduce this number if there is not sufficient space to allow for full replanting.
 3. Include additional landscaping to compensate for the landscaping removed as well as the valuation of the project.
- 4) Individual letters of credit or cash escrow for 125% of a bid cost or 150% of an estimated cost to construct parking lot improvements, comply with grading permit, tree mitigation requirements, landscaping requirements, and to restore the site. One itemized letter of credit is permissible, if approved by staff.

-
- a. The city will not fully release the letters of credit or cash escrow until:
 - A final as-built survey has been submitted;
 - Vegetated ground cover has been established; and
 - Required landscaping or vegetation has survived one full growing season.
 - 5) 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 or grading problems.
 - 6) A construction management plan. The plan must be in a city approved format and must outline minimum site management practices and penalties for non-compliance.
 - b) Prior to issuance of the grading permit, install a temporary rock driveway, erosion control, and tree protection fencing and any other measures identified on the SWPPP for staff inspection. These items must be maintained throughout the course of construction.
 3. During construction the street must be kept free of debris and sediment.
 4. The property owner is responsible for replacing any required landscaping that dies.

Adopted by the Planning Commission of the City of Minnetonka, Minnesota, on April 14, 2016.

Brian Kirk, 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 April 14, 2016.

Kathy Leervig, Deputy City Clerk

MINNETONKA PLANNING COMMISSION
April 14, 2016

Brief Description	Items concerning a parking lot expansion at 14001 Ridgedale Drive 1) Site and building plan review; and 2) Parking lot setback variance.
Recommendation	Adopt the resolution denying the requests

Background

In 1979, the city council approved final site and building plans for a three-story, 26,855-square foot medical and office building on the subject property. Following the submission of a traffic study, a condition of approval was included restricting the amount of medical use within the building to 60 percent. At the time, the property was zoned B-4, General Business District and medical clinics were permitted uses within this district. (See pages A16-A17.)

In 1988, the council approved the Planned I-394 District; under the ordinance medical clinics became conditionally permitted uses. In 2007, the city reviewed a request by the property owner to increase the amount of medical use within the building from 60 percent to 75 percent. The request included a parking variance. Despite the variance, staff recommended approval for two primary reasons: (1) the amount of medical use within the building had varied since the building's original construction; and (2) the building was buffered from the residential properties to the south by a vegetated berm. At its meeting, the council spent a significant amount of time discussing the parking situation and the variance request to further reduce the amount of required parking for the medical uses. Ultimately, the council approved Resolution No. 2007-129 with the condition that:

“A maximum of 75 percent of the gross floor area of the building may be used as a medical clinic. The property manager must provide a written report to the city no later than January 30 of each year specifying the amount of space leased as a medical clinic. If there is insufficient parking on site and parking problems occur, the city may require that the percentage used by a medical clinic be reduced to eliminate the parking issue.” (See pages A19-A23.)

Proposal Summary

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

- **Existing Site Conditions.** The subject property is 2.2 acres in size and is currently improved with a three-story office building and two distinct parking areas. The north and south parking areas are not connected internally but are accessed independently via Ridgedale Drive. A vegetated berm is situated along the south property line and ranges in height from 10 feet to 26 feet. This berm contains a variety of high priority and significant trees. (See page A3.)
- **Proposed Use.** The property owner has expressed that additional parking is needed on the property to accommodate the parking needs of existing and prospective tenants. The property owner is proposing two changes to the south parking lot to allow for an additional twelve parking stalls. The changes include:
 1. Parking lot stripping. The western most area of the existing parking lot would be striped to create five parking spaces. Despite this area and area beyond the property line already being paved, the request requires a variance to reduce the required setback from 20 feet to 0 feet. As currently proposed, the parking area would encroach into the city's right-of-way.
 2. Cantilevered parking deck. A retaining wall and cantilever would be "cut" into the berm to allow for a reconfiguration of the existing parking lot. To accommodate the proposed structure, a significant amount of grading and tree removal would be required. Following construction, the cantilever would be vegetated with small shrubs and perennials and would "overhang" a portion of the newly constructed parking area. Site and building plan approval is required to construct the cantilevered parking area. (See proposed plans on pages A4-A9.)

Staff analysis

A land use proposal is comprised of many details. In evaluating the proposal, staff first reviews these details and then aggregates them into a few primary questions or issues. The following outlines the primary questions associated with the applicant's request and staff's findings.

- Is the request to increase the amount of parking on the site appropriate?

No. Medical uses tend to have a higher parking demand than traditional office uses. Since the building's construction, the council has expressed concern related to the medical use of the building and the amount of available parking on site.

According to Resolution 2007-129, if on-site parking is insufficient, the city may require that the amount of medical use within the building be reduced to eliminate the parking issue. Further, to understand how much of the building is leased by medical tenants, the property owner is required to submit leasing reports to the city each year. Since the approval, the city has yet to receive a formal leasing report. However, at the request of city staff, the property owner submitted leasing

information as part of the current application. Based on the plans submitted, nearly 80 percent of the building is currently being leased for medical use. (See pages A10-A12.)

- Is the proposed parking variance to allow parking on the western portion of the paved parking lot reasonable?

1. **Reasonableness and unique circumstance:** Staff does not find the variance request reasonable or the result of a circumstance unique to the property:

- Rather than a circumstance unique to the property, the variance request is the result of building tenant requests.
- The paved area, proposed for stripping, was created at some point after the building's construction to store the building's trash enclosure. The enclosure was relocated at the request of city staff in 2011. The variance is not justified simply because the area is already paved.
- The intent of parking lot setbacks is to allow for appropriate separation between the traveled portion of a roadway and parking lots. As currently proposed, the proposed parking area would encroach into the city's right-of-way.
- The parking demand could be reduced by reducing the amount of medical use within the building. Based on recently submitted floor plans, the amount of medical use within the building exceeds the amount allowed by Resolution No. 2007-129.
- The perceived parking issue is likely the result of a lack of convenient parking rather than an actual shortage of parking stalls. During staff observations the parking lot never exceeded 68 percent occupancy.

2. **Neighborhood Character.** The proposed parking lot setback would not be consistent with the neighborhood character. While the parking lots of the commercial areas along Ridgedale Drive have varying setbacks, all but one property have a setback of at least five feet. The proposed variance would allow for encroachment into the city's right-of-way.

- Are the proposed site impacts reasonable?

No. A significant amount of grading and tree removal would be required for the construction of the parking structure. The wooded berm serves both as a visual and sound buffer for the residential properties to the south. While the proposed

cantilever would be re-vegetated, the proposed perennials and shrubs would not provide an appropriate amount of buffering.

Summary Comments

At this time, staff is not recommending a reduction in the amount of medical use within the building. However, staff finds that the request to increase the amount of available on-site parking is directly related to the amount of medical use within the building. As such, staff does not support the proposal.

Staff Recommendation

Adopt the resolution on pages A28–A33. This resolution denies final site and building plans, with a parking lot setback variance, for a parking lot expansion at 14001 Ridgedale Drive.

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

Supporting Information

Project No.	07041.16a
Property	14001 Ridgedale Drive
Applicant	Ridgedale Dr, LLC
Surrounding Land Uses	Northerly: I394 Easterly: Office building, zoned PID, guided for office Southerly: single family residential homes, zoned R-1 and guided for low density residential Westerly: I494
Planning	Guide Plan designation: Office Zoning: PID, Planned I394 District
Non-conforming Setbacks	In 1979, the city council approved final site and building plans for a three-story office building on the property. At that time, the building and parking lot met all city code standards. When the council approved the Planned I-394 ordinance in 1988, the setback requirements for parking lots increased. By current ordinance, the parking lot has a non-conforming setback from the north property line.
Parking Conditions	The property is improved with two parking lots. The parking lots are not internally connected. Rather, the connection of the lots occurs via Ridgedale Drive. Signage on the property indicates that users of the OBGYN clinic utilize the upper parking area and all other building users utilize the lower parking area. The parking spaces under the existing parking deck are “reserved.”



By ordinance, medical uses require more parking than general office uses. This is generally consistent with the parking rates prescribed by the Institute of Transportation Engineers (ITE.) Based on Resolution No. 2007-129, 75 percent of the building could be leased for medical use within the building. The following table is intended to summarize the amount of parking spaces required for the amount of medical and office space allowed by Resolution 2007-129:

Use	Amount of space within building	Required by parking ordinance	ITE parking rates
<i>Medical use</i>	20,142 sf	116 stalls	72 stalls
<i>Office use</i>	6,714 sf	26 stalls	19 stalls
Total	26,856 sf	142 stalls*	91 spaces

* Variance approved in 2007 to reduce number of stalls from 142 to 117

City staff visited the site on several occasions to observe parking conditions on site. According to the Institute of Transportation Engineers (ITE) the peak parking demand would typically occur between 9 a.m. – 12 p.m. and 2 p.m. – 4 p.m. The following table summarizes the parking counts:

	Existing on site	3/1 @ 10 a.m.	3/8 @ 2 p.m.	3/10 @ 3:30 p.m.	3/11 @ 12 p.m.	3/30 @ 8 a.m.
<i>Upper deck (south)</i>	54	34	24	28	18	16
<i>Lower deck (north)</i>	63	45	39	49	36	26
Total	117*	79	63	77	54	42
% parked		68%	54%	66%	46%	36%

* Variance approved in 2007 to reduce number of stalls from 142 to 117

Tree removal

In order to construct the proposed parking structure, 10 high priority trees and 27 significant trees would be removed. Approximately half of the high priority and significant trees to be removed are within the basic tree removal area and would not require mitigation. A total of 91 inches of tree mitigation and an

additional 10 trees are required to mitigate for removal outside of the basic tree removal area.

Stormwater

Stormwater management would be required for the increase in impervious surface on the property. At this time, the property owner has not included a stormwater management plan.

SBP Standards

The proposal would 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: While the previously approved Resolution 2007-129 allowed for additional medical space within the building, it included a condition of approval stating that if parking problems were to occur the amount of medical use should be reduced. Staff finds that the parking demand could be reduced by reducing the amount of medical use within the building.

2. Consistency with this ordinance;

Finding: The proposal is not consistent with the intent of the city's ordinance or with Resolution No. 2007-129.

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: While the slope of the berm does not meet the criteria needed to be considered a steep slope by ordinance, the slope is significant. Under the current proposal the existing slope would be significantly altered. This alteration would result in a diminished visual and sound buffer of the intense commercial areas to the residential properties to the south.

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 proposal would significantly change the visual and physical relationship of the built environment to the property's open space by altering a significant amount of the

existing topography and removing a number of the existing mature trees.

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: While the proposal would create additional parking on site, it would not result in a significantly improved sense of internal order or vehicular circulation.

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

Finding: The proposal does not include features which promote energy conservation.

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

Finding: The existing berm has served as a visual and a sound buffer to the residential properties to the south since the building's construction. The proposed landscaping, tree removal and grading would result in a significantly diminished

buffer for the residential properties. The mature trees would be replaced with shrubs and perennials.

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

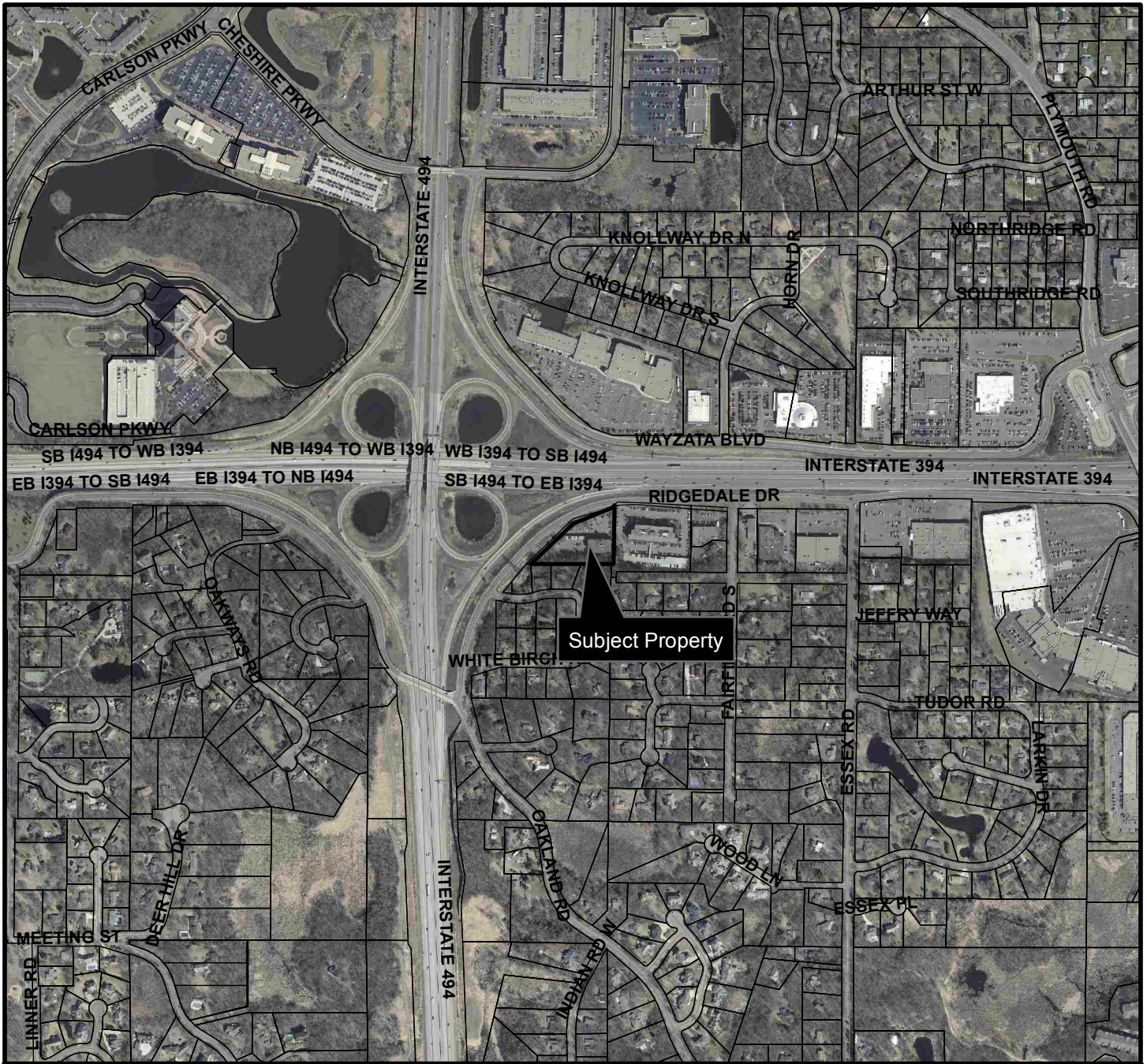
Motion Options The planning commission has three options:

- 1) Concur with the staff recommendation. In this case a motion should be made to adopt the resolution denying the final site and building plans and parking variance.
- 2) Disagree with staff's recommendation. In this case, a motion should be made directing staff to prepare a resolution to approve the final site and building plans and parking variance. This motion should include findings for approval.
- 3) Table the proposal. In this case, a motion should be made to table the item. The motion should include a statement as to why the proposal is being tabled with direction to staff, the applicant, or both.

Appeals Any person aggrieved by the planning commission's decision regarding 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.

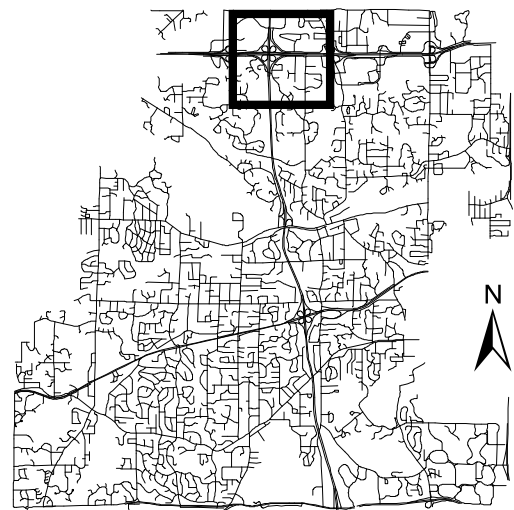
Neighborhood Comments The city sent notices to 37 area property owners and received two comments. See comments on pages A25-A26.

Deadline for Decision June 9, 2016



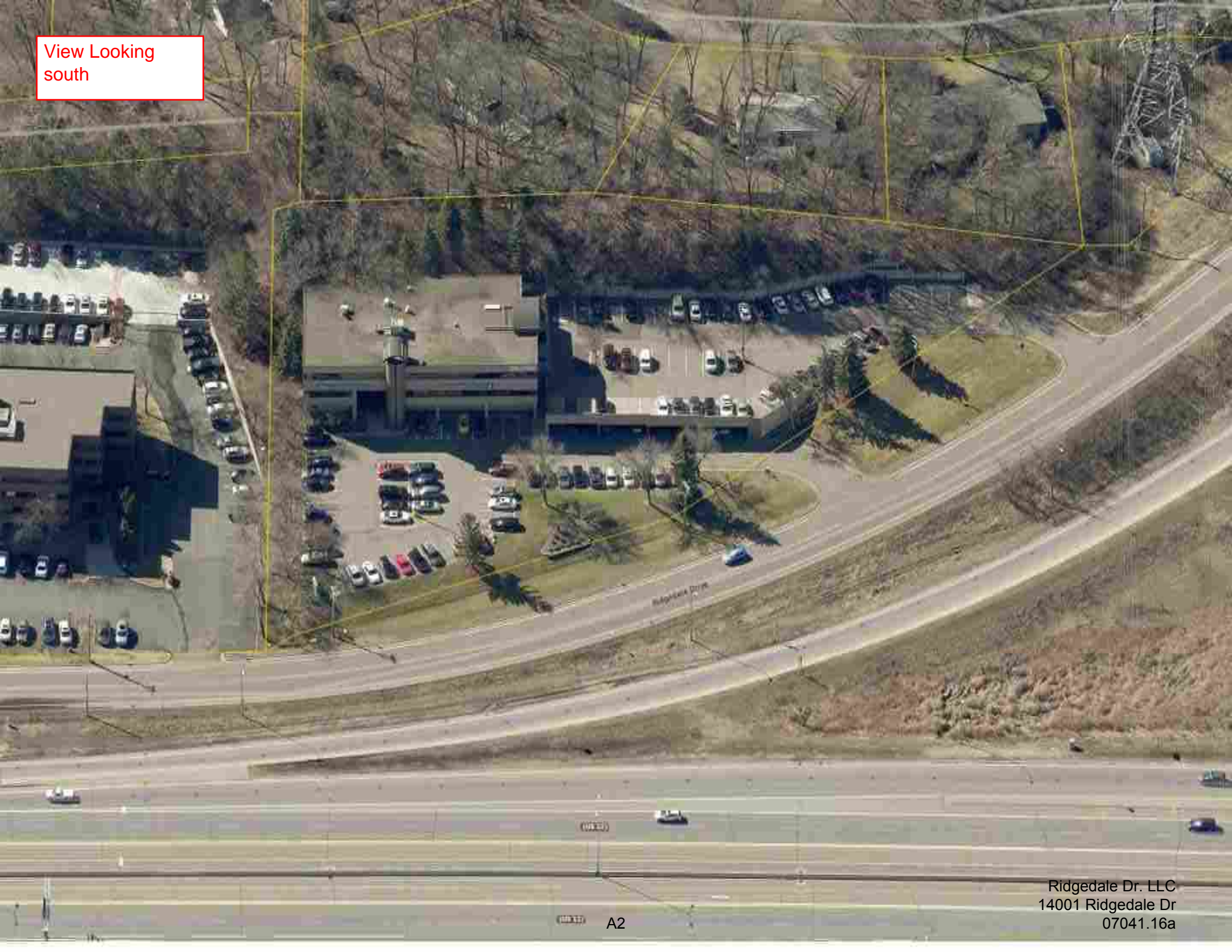
Location Map

Applicant: Ridgedale Dr LLC
 Address: 14001 Ridgedale Dr
 Project No. 07041.16a



This map is for illustrative purposes only.
 Ridgedale Dr. LLC
 14001 Ridgedale Dr
 07041.16a

View Looking south



Ridgedale Dr. LLC
14001 Ridgedale Dr
07041.16a

A2

Existing Conditions



RIDGEDALE DRIVE

ESTIMATED PROPERTY LINE

20'-0" SURFACE PARKING SETBACK
30'-0" PARKING STRUCTURE SETBACK

EXISTING PARKING DECK TO REMAIN

EXISTING BUILDING

DEMO EXISTING PARKING ISLAND

RELOCATE EXISTING FIRE HYDRANT

RELOCATE EXISTING LIGHT POLE

DEMO EXISTING PARKING SURFACE AND LINES IN THIS AREA FOR RE-GARDING AND PARKING EXPANSION

Parking stalls are not striped and would not meet parking lot setbacks

EXISTING CURBS TO REMAIN

50'-0" LOW DENSITY RESIDENTIAL SETBACK

DEMO EXISTING RETAINING WALL

EXISTING TRASH ENCLOSURE TO REMAIN

EXISTING RETAINING WALL TO REMAIN

67'-0"

111'-7"

25'-0"

31'-10"

PROPERTY LINE

1 ARCHITECTURAL SITE PLAN
A101 3/32" = 1'-0"

14001 RIDGEDALE DRIVE - PARKING EXPANSION NEW CONSTRUCTION

14001 RIDGEDALE DRIVE
MINNETONKA, MN 55305

ARCHITECT
M H
NORMAN HANSEN
1000 Twelve Oaks Center Dr.
Suite 200
Wayzata MN 55391
Tel 952.426.7400
Fax 952.426.7440

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.

REGISTRATION
TODD W. HAGEN, AIA, NCARB
REGISTRATION NUMBER: 18074

THE ARCHITECT SHALL BE DEEMED THE AUTHORS AND OWNERS OF THEIR RESPECTIVE INSTRUMENTS OF SERVICE AND SHALL RETAIN ALL COMMON LAW, STATUTORY AND OTHER RESERVED RIGHTS, INCLUDING COPYRIGHTS OF THE ATTACHED DOCUMENTS.

NO.	DESCRIPTION	DATE

DRAWING INFORMATION
PROJECT NUMBER: 14331.2GRT
DRAWN BY: NSM
CHECKED BY: SMO
DATE: _____

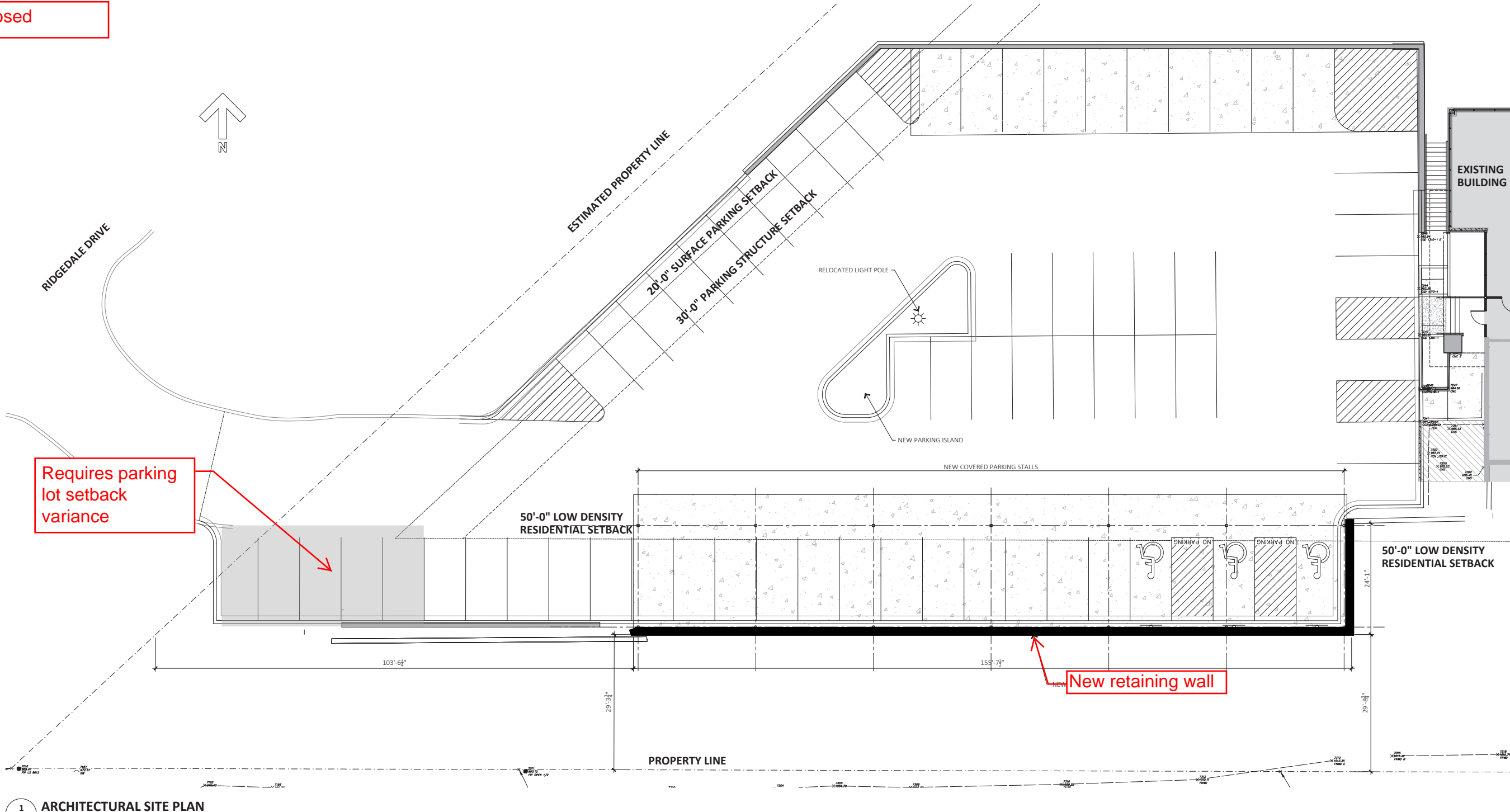
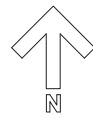
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SHEET DESCRIPTION
ARCHITECTURAL SITE DEMO PLAN

PHASE
CITY SUBMITTAL
Ridgedale Dr. LLC
14001 Ridgedale Dr
07-1-16a

K:\Jobs\14001-Ridgedale\15331 - Parking Expansion\05_Dwg\14001-Ridgedale Drive - Parking Expansion\15331-2GRT-14001 ARCHITECTURAL SITE DEMO PLAN.dwg

Proposed



Requires parking lot setback variance

New retaining wall

14001 RIDGEDALE DRIVE - PARKING EXPANSION NEW CONSTRUCTION

14001 RIDGEDALE DRIVE MINNETONKA, MN 55305

ARCHITECT
 MH
 NORAHEN HANSEN
 1000 Twelve Oaks Center Dr. Suite 200 Wayzata MN 55391
 Tel 952.426.7400 Fax 952.426.7440

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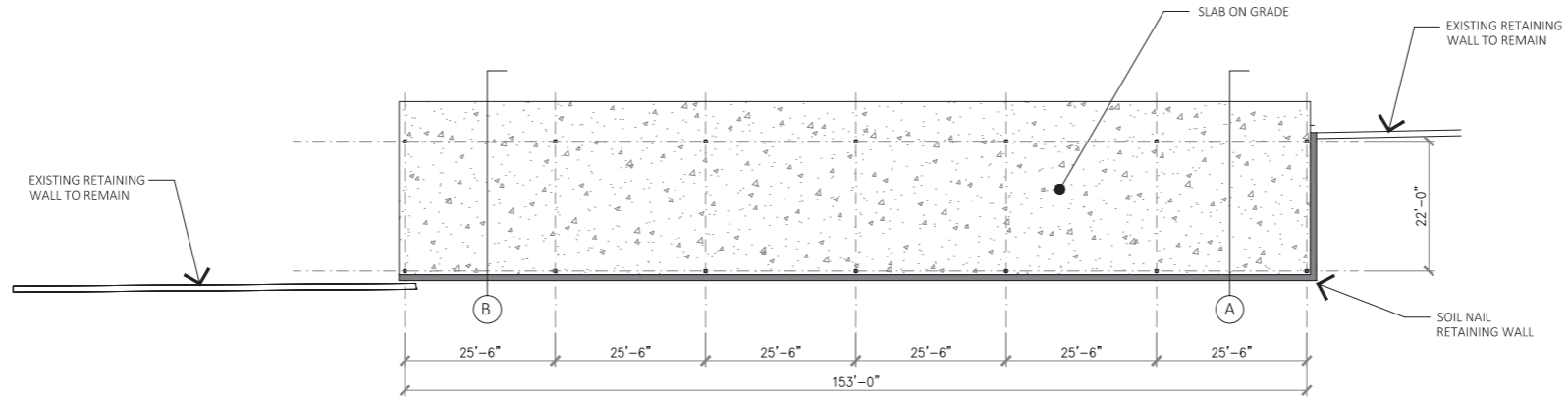
NO.	DESCRIPTION	DATE

1 ARCHITECTURAL SITE PLAN
A101 3/32" = 1'-0"

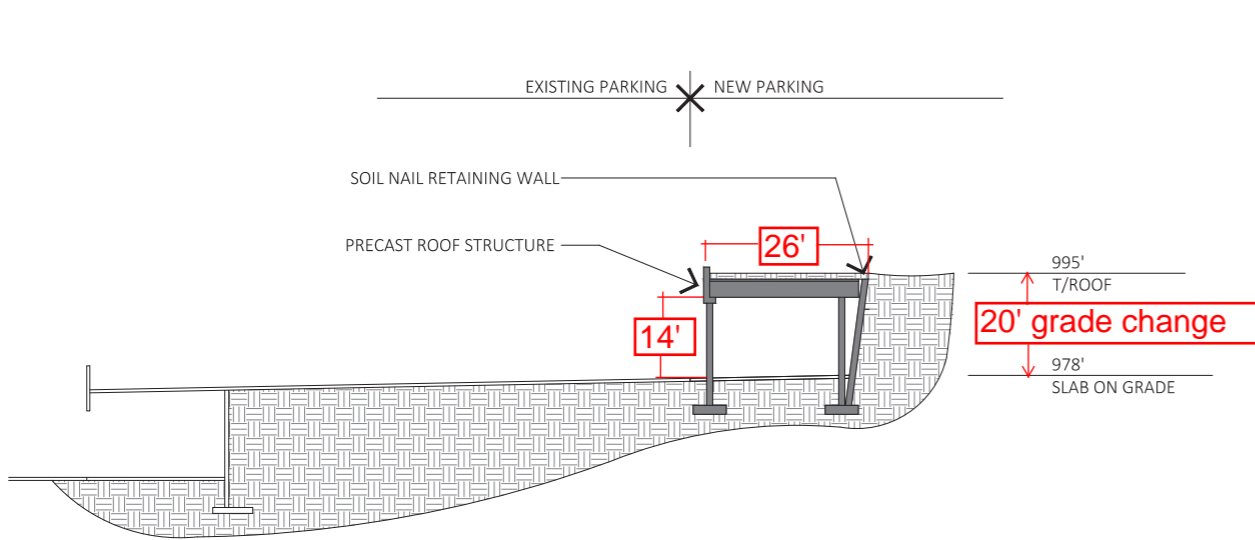
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 DRAWN BY: NSM
 CHECKED BY: SMO
 DATE: _____
 COMPUTER DIRECTORY: \\14001 RIDGEDALE DR\15331-PARKING EXPANSION

ARCHITECTURAL SITE PLAN

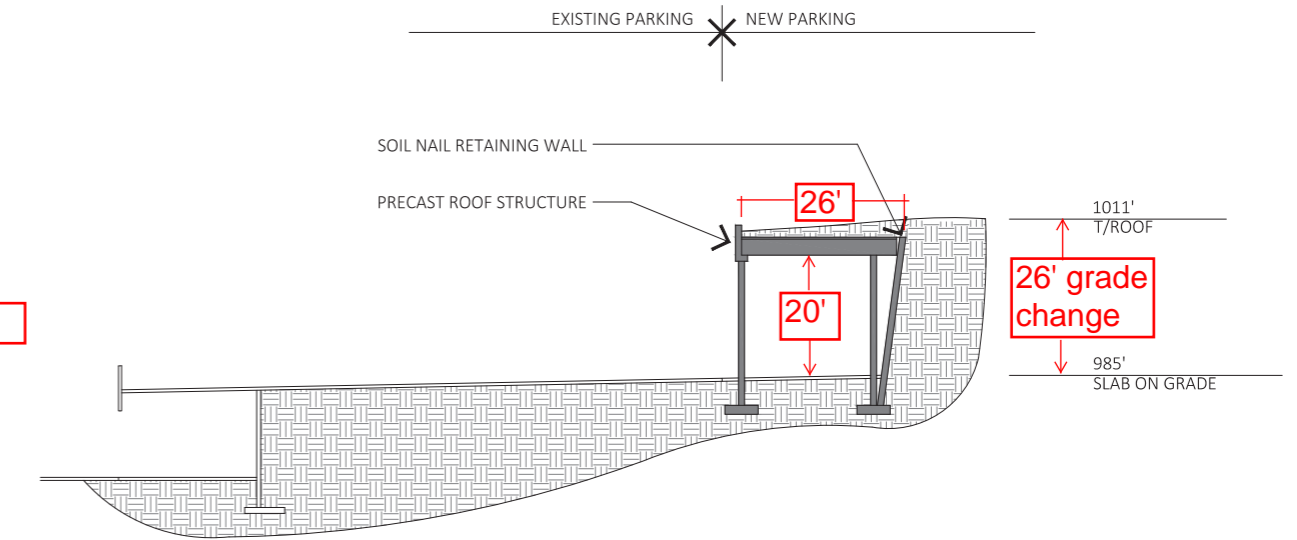
PHASE
 CITY SUBMITTAL
 Ridgedale Dr. LLC
 14001 Ridgedale Dr
 07041.16a



PLAN
scale: 1/16"=1'-0"



SECTION B
scale: 1/16"=1'-0"



SECTION A
scale: 1/16"=1'-0"

- High priority tree
- High priority tree to be removed
- Significant tree
- Significant tree to be removed

Legend

- 1000 ⊗ 1000 EXISTING TREE TO REMAIN
- ⊗ 1000 ⊗ 1000 EXISTING TREE TO BE REMOVED
- APPROXIMATE CONSTRUCTION LIMITS

Tree Mitigation Data

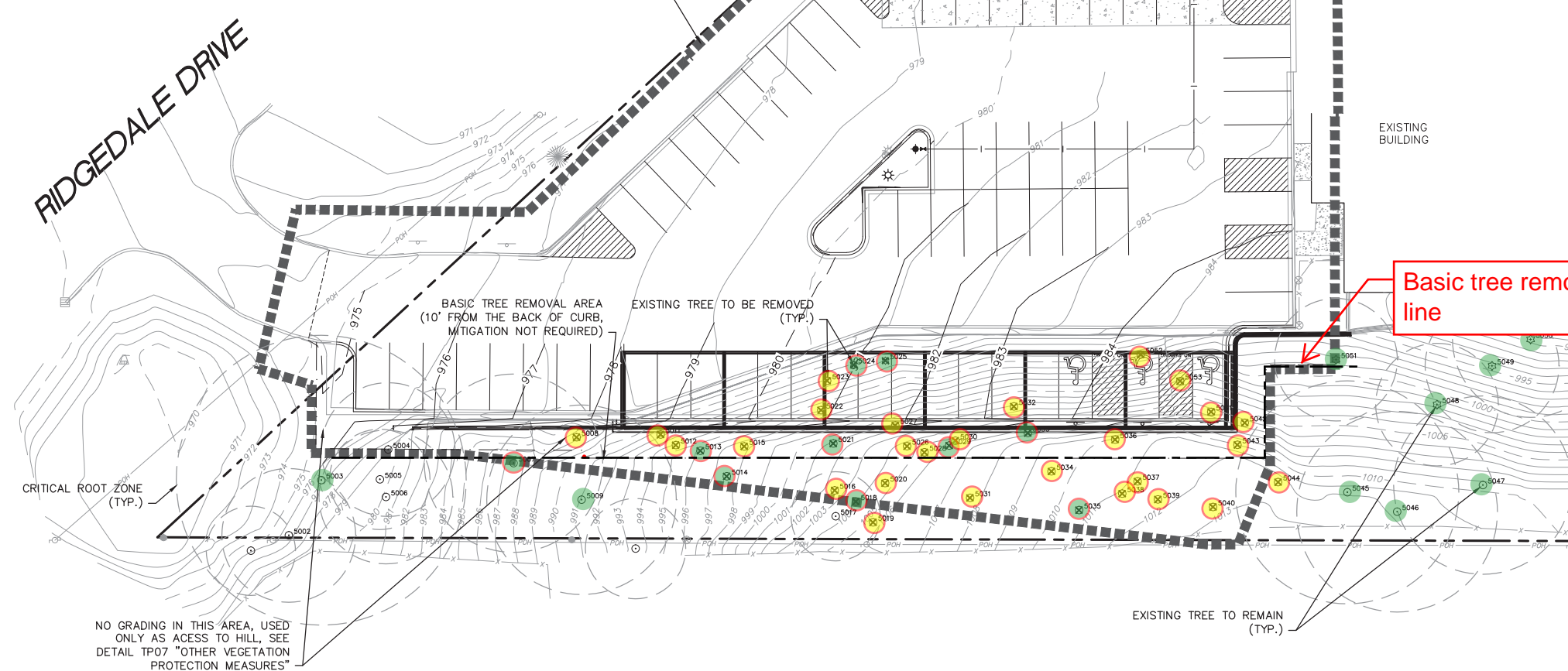
HIGH PRIORITY TREES REMOVED: 58 CALIPER INCHES
 TREE MITIGATION REQUIRED: 58 CALIPER INCHES

SIGNIFICANT TREES REMOVED: 10 TREES
 TREE MITIGATION REQUIRED: 10- 2-INCH TREES

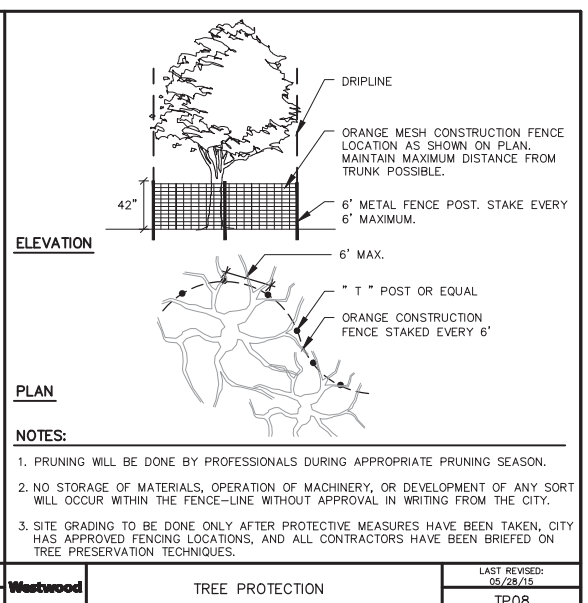
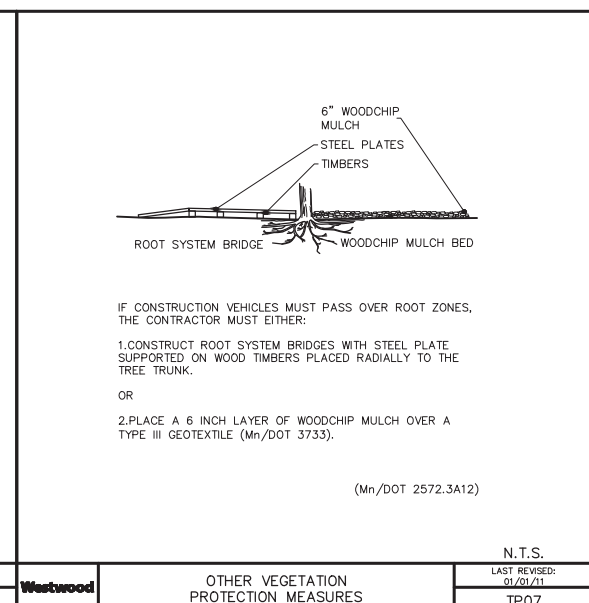
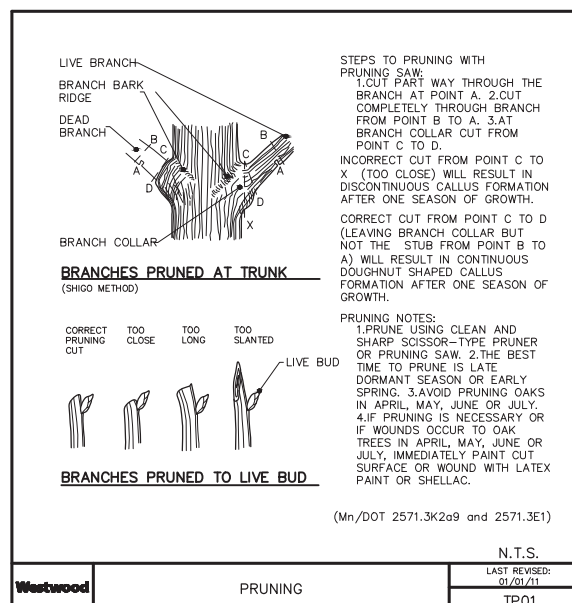
Tree Inventory

TAG	SPECIES	CAL. IN.	HT.	MULTI-STEM	STATUS
5002	Boxelder	12			SAVED
5003	*Red Oak	26			SAVED
5004	Boxelder	12			SAVED
5005	Green and White Ash	9			SAVED
5006	Green and White Ash	12			SAVED
5007	*White Oak	16			SAVED
5008	Green and White Ash	13			REMOVED
5009	*White Oak	17			SAVED
5011	Boxelder	8			REMOVED
5012	Green and White Ash	8			REMOVED
5013	*Red Oak	16		X	REMOVED
5014	*Red Oak	21			REMOVED
5015	Green and White Ash	11			REMOVED
5016	Red Oak	13			REMOVED
5017	Green and White Ash	8			SAVED
5018	*White Oak	19			REMOVED
5019	White Oak	12			REMOVED
5020	White Oak	8			REMOVED
5021	*Red Oak	27			REMOVED
5022	Green and White Ash	9			REMOVED
5023	Russian Olive	11			REMOVED
5024	*Norway Spruce	10	35		REMOVED
5025	*Norway Spruce	11	35		REMOVED
5026	American Elm	9			REMOVED
5027	Boxelder	9			REMOVED
5028	Green and White Ash	9			REMOVED
5029	*Red Oak	18			REMOVED
5030	Green and White Ash	9			REMOVED
5031	American Elm	8			REMOVED
5032	American Elm	11			REMOVED
5033	*Red Oak	17			REMOVED
5034	White Oak	11			REMOVED
5035	*Red Oak	18		X	REMOVED
5036	White Oak	11			REMOVED
5037	Boxelder	8			REMOVED
5038	Green and White Ash	9			REMOVED
5039	Boxelder	11			REMOVED
5040	Green and White Ash	11			REMOVED
5041	Boxelder	17			REMOVED
5042	Green and White Ash	9			REMOVED
5043	Green and White Ash	14			REMOVED
5044	American Elm	10			REMOVED
5045	*Red Oak	20			SAVED
5046	*Red Oak	28		X	SAVED
5047	*White Oak	16			SAVED
5048	*Norway Spruce	11	30		SAVED
5049	*Norway Spruce	12	35		SAVED
5050	*White Spruce	14	40		SAVED
5051	*White Spruce	11	35		SAVED
5052	Green and White Ash	8			REMOVED
5053	Boxelder	8			REMOVED

NOTE: * SIGNIFIES A HIGH PRIORITY TREE
 HIGHLIGHTED CELLS SIGNIFY TREES TO BE REMOVED OUTSIDE OF THE BASIC TREE REMOVAL AREA THAT REQUIRE MITIGATION.



NO GRADING IN THIS AREA, USED ONLY AS ACCESS TO HILL, SEE DETAIL TP07 "OTHER VEGETATION PROTECTION MEASURES"



Westwood	PRUNING	Westwood	OTHER VEGETATION PROTECTION MEASURES
	N.T.S. LAST REVISED: 01/01/11 TP01		N.T.S. LAST REVISED: 01/01/11 TP07
Westwood		Westwood	TREE PROTECTION
			N.T.S. LAST REVISED: 05/28/15 TP08

Westwood

Westwood Professional Services, Inc.
 7699 Anagram Drive
 Eden Prairie, MN 55344
 Phone (952) 937-5150
 Fax (952) 937-5822
 Toll Free (888) 937-5150
 westwoodps.com

Designed: RAH
 Checked: JRW
 Drawn: RAH
 Record Drawing by/date:

Revisions:

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly licensed PROFESSIONAL LANDSCAPE ARCHITECT under the laws of the State of Minnesota.

Jeffrey R. Westendorf
 Date 02/23/16 License No.

NOT FOR CONSTRUCTION

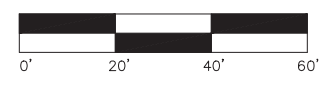
Prepared for:
Mohagen Hansen Architectural Group

1000 Twelve Oaks Center Drive Suite 200
 Wayzata, MN

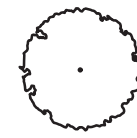
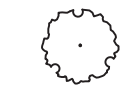
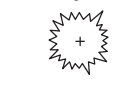
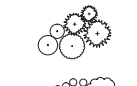
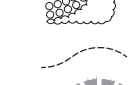


Ridgedale Office Parking Lot Expansion
 Minnetonka, Minnesota

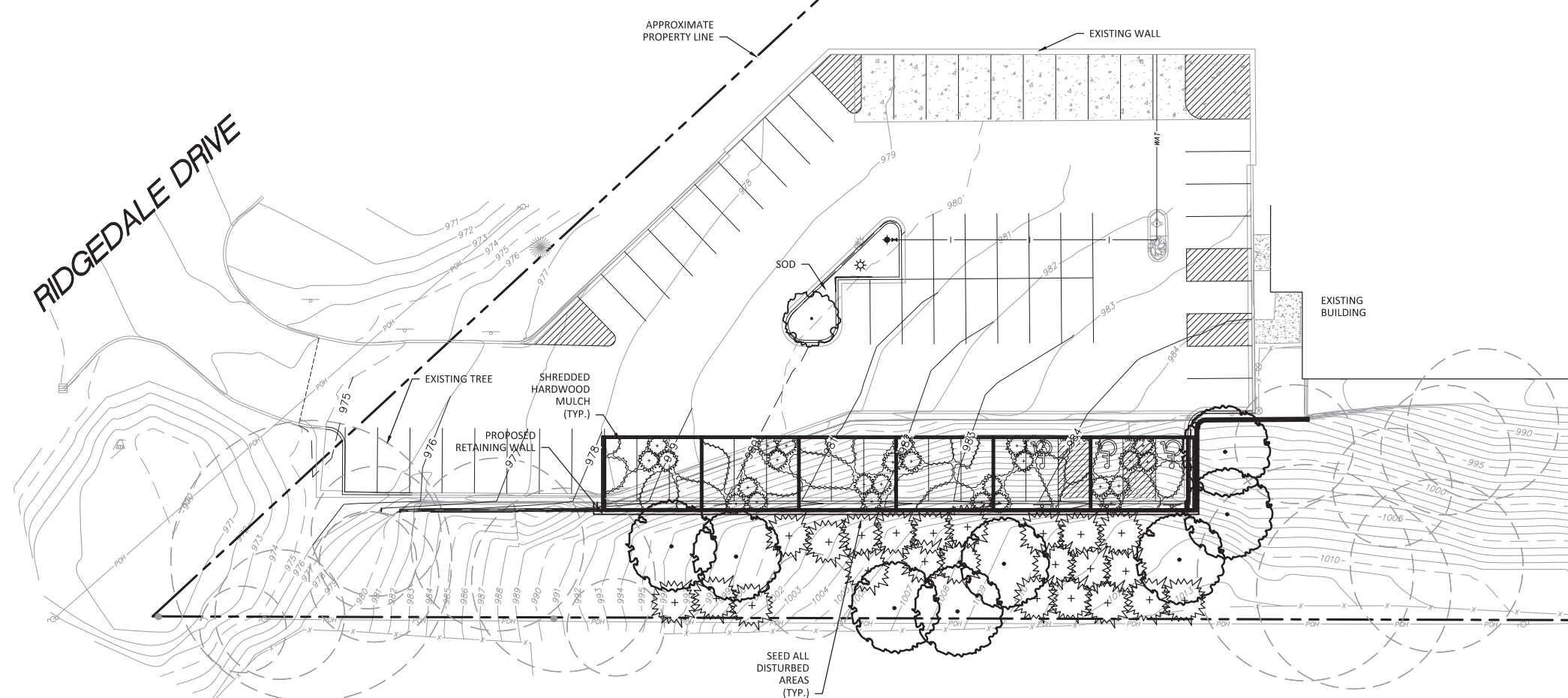
Tree Inventory and Preservation Plan

Date: 02/23/16
 Sheet: 3 of 9
 Ridgedale Dr. LLC
 14001 Ridgedale Dr.
 07041.16a



Plant Legend

-  OVERSTORY DECIDUOUS TREE
-  ORNAMENTAL TREES
-  CONIFEROUS TREES
-  SHRUBS
-  PERENNIALS
-  EDGER
-  APPROXIMATE SEED/SOD LIMITS



Plant Key

OVERSTORY TREE		
ID	COMMON NAME	BOTANICAL NAME
SM	Sugar Maple	<i>Acer saccharum</i>
AB	Autumn Blaze Maple	<i>Acer x freemanii</i> 'Jeffers Red'
NM	Northwood Red Maple	<i>Acer rubrum</i> 'Northwood'
BO	Bur Oak	<i>Quercus macrocarpa</i>
RO	Red Oak	<i>Quercus rubra</i>
WO	Swamp White Oak	<i>Quercus bicolor</i>
ORNAMENTAL TREE		
WB	Whitespire Birch	<i>Betula populifolia</i> 'Whitespire'
RB	River Birch Clump	<i>Betula nigra</i>
PB	Paper Birch	<i>Betula papyrifera</i> 'Renei'
QA	Quaking Aspen	<i>Populus tremuloides</i>
EVERGREEN TREE		
RP	Red Pine	<i>Pinus resinosa</i>
BS	Black Hills Spruce	<i>Picea glauca densata</i>
WP	White Pine	<i>Pinus strobus</i>
WS	White Spruce	<i>Picea glauca</i>
BF	Balsam Fir	<i>Abies balsamea</i>

DECIDUOUS SHRUBS			
XX	BLC	Black Chokeberry	<i>Aronia melanocarpa</i>
XX	RGD	Red Gnome Dogwood	<i>Cornus alba sibirica</i>
XX	DBH	Dwarf Bush Honeysuckle	<i>Diervilla lonicera</i>
XX	GLS	Gro-Low Sumac	<i>Rhus aromatica</i> 'Gro-Low'
XX	GDW	Gray Dogwood	<i>Cornus racemosa</i>
XX	DKL	Smooth Sumac	<i>Rhus glabra</i>
EVERGREEN SHRUBS			
XX	BRJ	Blue Rug Juniper	<i>Juniperus horizontalis</i> 'Wiltonii'
XX	SGJ	Green Sargent Juniper	<i>Juniperus chinensis</i> var. <i>sargentii</i> 'Viridis'

PERENNIALS & GRASSES			
XX	FRH	Fragrant Hyssop	<i>Agastache foeniculum</i>
XX	SBA	Summer Beauty Allium	<i>Allium tanguticum</i> 'Summer Beauty'
XX	BBG	Big Bluestem Grass	<i>Andropogon gerardii</i>
XX	MPB	Midnight Prairie Blues False Indigo	<i>Baptisia</i> 'Midnight Blues'
XX	KFG	Korean Feather Reed Grass	<i>Calamagrostis arundinacea</i> var. <i>brachytricha</i>
XX	PSG	Prairie Smoke Geum	<i>Geum triflorum</i> 'Prairie Smoke'
XX	SDO	Stella de Oro Daylily	<i>Hemerocallis</i> 'Stella de Oro'
XX	KLS	Kobold Gayfeather	<i>Liatris spicata</i> 'Kobold'
XX	WBR	Wild Bergamot	<i>Monarda fistulosa</i>
XX	KKN	Kit Kat Nepeta	<i>Nepeta faassenii</i> 'Kit Kat'
XX	WLN	Walker's Low Nepeta	<i>Nepeta racemosa</i> 'Walker's Low'
XX	BRT	Beardtongue	<i>Penstemon digitalis</i>
XX	FIP	Filagran Perovskia	<i>Perovskia</i> 'Filagran'
XX	EBP	Emerald Blue Phlox	<i>Phlox subulata</i> 'Emerald Blue'
XX	MNS	May Night Salvia	<i>Salvia x superba</i> 'Mainacht'
XX	BHG	Schizachyrium Blue Heaven Grass	<i>Schizachyrium scoparium</i> 'Minnblue A' (PP17,310)
XX	SCS	Stonecrop Sedum	<i>Sedum kamtschaticum</i>
XX	PDS	Prairie Dropseed	<i>Sporobolus heterolepis</i>

Westwood

Westwood Professional Services, Inc.
 7699 Anagram Drive
 Eden Prairie, MN 55344
 Phone (952) 937-5150
 Fax (952) 937-5822
 Toll Free (888) 937-5150
 westwoodps.com

Designed: RAH/JRW
 Checked: JRW
 Drawn: RAH
 Record Drawing by/date:

Revisions:

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed PROFESSIONAL LANDSCAPE ARCHITECT under the laws of the State of Minnesota.

Jeffrey R. Westendorf
 Date: 02/23/16 License No.:

NOT FOR CONSTRUCTION

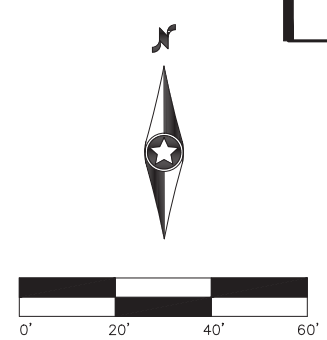
Prepared for:
Mohagen Hansen Architectural Group

1000 Twelve Oaks Center Drive Suite 200
 Wayzata, MN

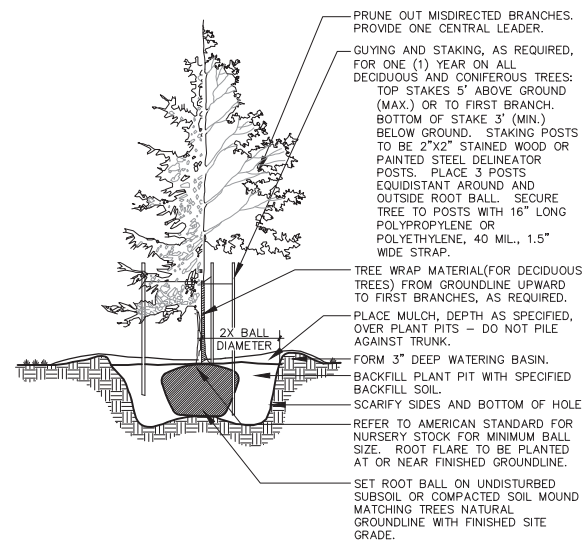
Ridgedale Office Parking Lot Expansion
 Minnetonka, Minnesota

Landscape Plan

Date: 02/23/16
 Sheet: 4 of 5
 Ridgedale Dr. LLC
 14001 Ridgedale Dr.
 07041.16a

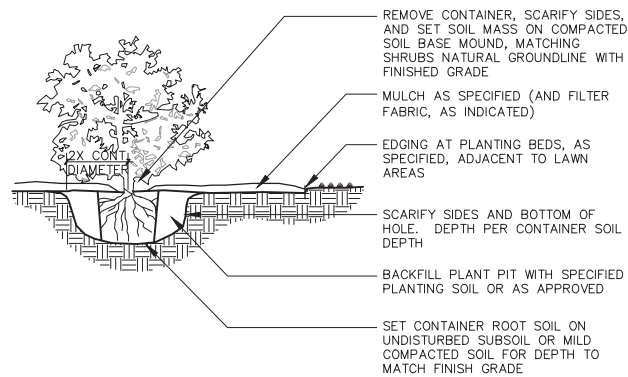


Planting Notes



1 Tree Planting Detail

NOT TO SCALE



2 Shrub & Perennial Planting Detail

NOT TO SCALE

- 1. CONTRACTOR SHALL CONTACT COMMON GROUND ALLIANCE AT 811 OR CALL811.COM TO VERIFY LOCATIONS OF ALL UNDERGROUND UTILITIES PRIOR TO INSTALLATION OF ANY PLANTS OR LANDSCAPE MATERIAL.
2. ACTUAL LOCATION OF PLANT MATERIAL IS SUBJECT TO FIELD AND SITE CONDITIONS.
3. NO PLANTING WILL BE INSTALLED UNTIL ALL GRADING AND CONSTRUCTION HAS BEEN COMPLETED IN THE IMMEDIATE AREA.
4. ALL SUBSTITUTIONS MUST BE APPROVED BY THE LANDSCAPE ARCHITECT PRIOR TO SUBMISSION OF ANY BID AND/OR QUOTE BY THE LANDSCAPE CONTRACTOR.
5. CONTRACTOR SHALL PROVIDE TWO YEAR GUARANTEE OF ALL PLANT MATERIALS. THE GUARANTEE BEGINS ON THE DATE OF THE LANDSCAPE ARCHITECT'S OR OWNER'S WRITTEN ACCEPTANCE OF THE INITIAL PLANTING. REPLACEMENT PLANT MATERIAL SHALL HAVE A ONE YEAR GUARANTEE COMMENCING UPON PLANTING.
6. ALL PLANTS TO BE SPECIMEN GRADE, MINNESOTA-GROWN AND/OR HARDY. SPECIMEN GRADE SHALL ADHERE TO, BUT IS NOT LIMITED BY, THE FOLLOWING STANDARDS: ALL PLANTS SHALL BE FREE FROM DISEASE, PESTS, WOUNDS, SCARS, ETC. ALL PLANTS SHALL BE FREE FROM NOTICEABLE GAPS, HOLES, OR DEFORMITIES. ALL PLANTS SHALL BE FREE FROM BROKEN OR DEAD BRANCHES. ALL PLANTS SHALL HAVE HEAVY, HEALTHY BRANCHING AND LEAFING. CONIFEROUS TREES SHALL HAVE AN ESTABLISHED MAIN LEADER AND A HEIGHT TO WIDTH RATIO OF NO LESS THAN 5:3.
7. PLANTS TO MEET AMERICAN STANDARD FOR NURSERY STOCK (ANSI Z60.1-2004 OR MOST CURRENT VERSION) REQUIREMENTS FOR SIZE AND TYPE SPECIFIED.
8. PLANTS TO BE INSTALLED AS PER MNL A & ANSI STANDARD PLANTING PRACTICES.
9. PLANTS SHALL BE IMMEDIATELY PLANTED UPON ARRIVAL AT SITE. PROPERLY HEEL-IN MATERIALS IF NECESSARY; TEMPORARY ONLY.
10. PRIOR TO PLANTING, FIELD VERIFY THAT THE ROOT COLLAR/ROOT FLAIR IS LOCATED AT THE TOP OF THE BALLED & BURLAP TREE. IF THIS IS NOT THE CASE, SOIL SHALL BE REMOVED DOWN TO THE ROOT COLLAR/ROOT FLAIR. WHEN THE BALLED & BURLAP TREE IS PLANTED, THE ROOT COLLAR/ROOT FLAIR SHALL BE EVEN OR SLIGHTLY ABOVE FINISHED GRADE.
11. OPEN TOP OF BURLAP ON BB MATERIALS; REMOVE POT ON POTTED PLANTS; SPLIT AND BREAK APART PEAT POTS.
12. PRUNE PLANTS AS NECESSARY - PER STANDARD NURSERY PRACTICE AND TO CORRECT POOR BRANCHING OF EXISTING AND PROPOSED TREES.
13. WRAP ALL SMOOTH-BARKED TREES - FASTEN TOP AND BOTTOM. REMOVE BY APRIL 1ST.
14. STAKING OF TREES AS REQUIRED; REPOSITION, PLUMB AND STAKE IF NOT PLUMB AFTER ONE YEAR.
15. THE NEED FOR SOIL AMENDMENTS SHALL BE DETERMINED UPON SITE SOIL CONDITIONS PRIOR TO PLANTING. LANDSCAPE CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT FOR THE NEED OF ANY SOIL AMENDMENTS.
16. BACKFILL SOIL AND TOPSOIL TO ADHERE TO MN/DOT STANDARD SPECIFICATION 3877 (SELECT TOPSOIL BORROW) AND TO BE EXISTING TOP SOIL FROM SITE FREE OF ROOTS, ROCKS LARGER THAN ONE INCH, SUBSOIL DEBRIS, AND LARGE WEEDS UNLESS SPECIFIED OTHERWISE. MINIMUM 4" DEPTH TOPSOIL FOR ALL LAWN GRASS AREAS AND 12" DEPTH TOPSOIL FOR TREE, SHRUBS, AND PERENNIALS.
17. MULCH TO BE AT ALL TREE, SHRUB, PERENNIAL, AND MAINTENANCE AREAS. TREE AND SHRUB PLANTING BEDS SHALL HAVE 4" DEPTH OF SHREDDED HARDWOOD MULCH. SHREDDED HARDWOOD MULCH TO BE USED AROUND ALL PLANTS WITHIN TURF AREAS. PERENNIAL AND ORNAMENTAL GRASS BEDS SHALL HAVE 2" DEPTH SHREDDED HARDWOOD MULCH. MULCH TO BE FREE OF DELETERIOUS MATERIAL AND COLORED RED, OR APPROVED EQUAL. ROCK MULCH TO BE BUFF LIMESTONE, 1 1/2" TO 3" DIAMETER, AT MINIMUM 3" DEPTH, OR APPROVED EQUAL. ROCK MULCH TO BE ON COMMERCIAL GRADE FILTER FABRIC, BY TYPAR, OR APPROVED EQUAL WITH NO EXPOSURE. MULCH AND FABRIC TO BE APPROVED BY OWNER PRIOR TO INSTALLATION. MULCH TO MATCH EXISTING CONDITIONS (WHERE APPLICABLE).
18. EDGING TO BE COMMERCIAL GRADE VALLEY-VIEW BLACK DIAMOND (OR EQUAL) POLY EDGING OR SPADED EDGE, AS INDICATED. POLY EDGING SHALL BE PLACED WITH SMOOTH CURVES AND STAKED WITH METAL SPIKES NO GREATER THAN 4 FOOT ON CENTER WITH BASE OF TOP BEAD AT GRADE, FOR MOWERS TO CUT ABOVE WITHOUT DAMAGE. UTILIZE CURBS AND SIDEWALKS FOR EDGING WHERE POSSIBLE. SPADED EDGE TO PROVIDE V-SHAPED DEPTH AND WIDTH TO CREATE SEPARATION BETWEEN MULCH AND GRASS. INDIVIDUAL TREE, SHRUB, OR RAIN-GARDEN BEDS TO BE SPADED EDGE, UNLESS NOTED OTHERWISE. EDGING TO MATCH EXISTING CONDITIONS (WHERE APPLICABLE).
19. ALL DISTURBED AREAS TO BE SODDED OR SEEDED, UNLESS OTHERWISE NOTED. PARKING LOT ISLANDS TO BE SODDED WITH SHREDDED HARDWOOD MULCH AROUND ALL TREES AND SHRUBS. SOD TO BE STANDARD MINNESOTA GROWN AND HARDY BLUEGRASS MIX, FREE OF LAWN WEEDS. ALL TOPSOIL AREAS TO BE RAKED TO REMOVE DEBRIS AND ENSURE DRAINAGE. SLOPES OF 3:1 OR GREATER SHALL BE STAKED. SEED AS SPECIFIED AND PER MN/DOT SPECIFICATIONS. IF NOT INDICATED ON LANDSCAPE PLAN, SEE EROSION CONTROL PLAN.
20. PROVIDE IRRIGATION TO ALL PLANTED AREAS ON SITE. IRRIGATION SYSTEM TO BE DESIGN/BUILD BY LANDSCAPE CONTRACTOR. LANDSCAPE CONTRACTOR TO PROVIDE SHOP DRAWINGS TO LANDSCAPE ARCHITECT FOR APPROVAL PRIOR TO INSTALLATION OF IRRIGATION SYSTEM. CONTRACTOR TO PROVIDE OPERATION MANUALS, AS-BUILT PLANS, AND NORMAL PROGRAMMING. SYSTEM SHALL BE WINTERIZED AND HAVE SPRING STARTUP DURING FIRST YEAR OF OPERATION. SYSTEM SHALL HAVE ONE-YEAR WARRANTY ON ALL PARTS AND LABOR. ALL INFORMATION ABOUT INSTALLATION AND SCHEDULING CAN BE OBTAINED FROM THE GENERAL CONTRACTOR.
21. CONTRACTOR SHALL PROVIDE NECESSARY WATERING OF PLANT MATERIALS UNTIL THE PLANT IS FULLY ESTABLISHED OR IRRIGATION SYSTEM IS OPERATIONAL. OWNER WILL NOT PROVIDE WATER FOR CONTRACTOR.
22. REPAIR, REPLACE, OR PROVIDE SOD/SEED AS REQUIRED FOR ANY ROADWAY BOULEVARD AREAS ADJACENT TO THE SITE DISTURBED DURING CONSTRUCTION.
23. REPAIR ALL DAMAGE TO PROPERTY FROM PLANTING OPERATIONS AT NO COST TO OWNER.
24. RAIN GARDEN NOTE: PROVIDE AND INSTALL EROSION CONTROL BLANKET AT RAIN GARDEN AREA SIDE SLOPES AFTER ALL PLANTING HAVE BEEN INSTALLED. BLANKET TO BE ONE SEASON GEOJUTE, MN/DOT CATEGORY 2 (STRAW 1S, WOOD FIBER 1S), OR APPROVED EQUAL. BLANKET TO BE OVERLAPPED BY 4" AND ANCHORED BY SOD STAPLES. PLACE BLANKET PERPENDICULAR TO THE SLOPE. TRENCH IN EDGES OF BLANKET AREA TO PREVENT UNDER MINING. PROVIDE SILT FENCE AT TOP OF SLOPE AS NEEDED. SHREDDED HARDWOOD MULCH TO MATCH OTHER PROJECT PLANTING MULCH. PLACE 4" DEPTH OF MULCH AT ALL PLANTING AND EROSION CONTROL BLANKET AREA (NO FILTER FABRIC). SEE RAIN GARDEN DETAIL FOR FURTHER INFORMATION. RAIN GARDEN TO PROVIDE PROPER INFILTRATION AND DRAINAGE REQUIREMENTS PER ENGINEERS APPROVAL.

Plant Schedule

Table with columns: QTY, ID, COMMON NAME, BOTANICAL NAME, SIZE (AT INSTALLATION), METHOD, HEIGHT (AT MATURITY), WIDTH (AT MATURITY), SPACING, COMMENT. Includes sections for OVERSTORY TREE (8 Total), ORNAMENTAL TREE (1 TOTAL), EVERGREEN TREE (23 TOTAL), DECIDUOUS SHRUBS (- TOTAL), EVERGREEN SHRUBS (27 TOTAL), and PERENNIALS & GRASSES (1,075 TOTAL).

NOTE: THE ABOVE LANDSCAPE TOTALS ARE GIVEN AS A CONVENIENCE TO THE LANDSCAPE CONTRACTOR. THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR VERIFYING COUNTS WITH PLANTING PLAN.

Westwood

Westwood Professional Services, Inc. 7699 Anagram Drive Eden Prairie, MN 55344

Phone (952) 937-5150 Fax (952) 937-5822 TollFree (888) 937-5150

westwoodps.com

Designed: RAH/RW

Checked: JRW

Drawn: RAH

Record Drawing by/date:

Revisions:

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly licensed PROFESSIONAL LANDSCAPE ARCHITECT under the laws of the State of Minnesota.

Jeffrey R. Westendorf

Date 02/23/16 License No. -

NOT FOR CONSTRUCTION

Prepared for:

Mohagen Hansen Architectural Group

1000 Twelve Oaks Center Drive Suite 200 Wayzata, MN

Ridgedale Office Parking Lot Expansion Minnetonka, Minnesota

Landscape Details

Date: 02/23/16

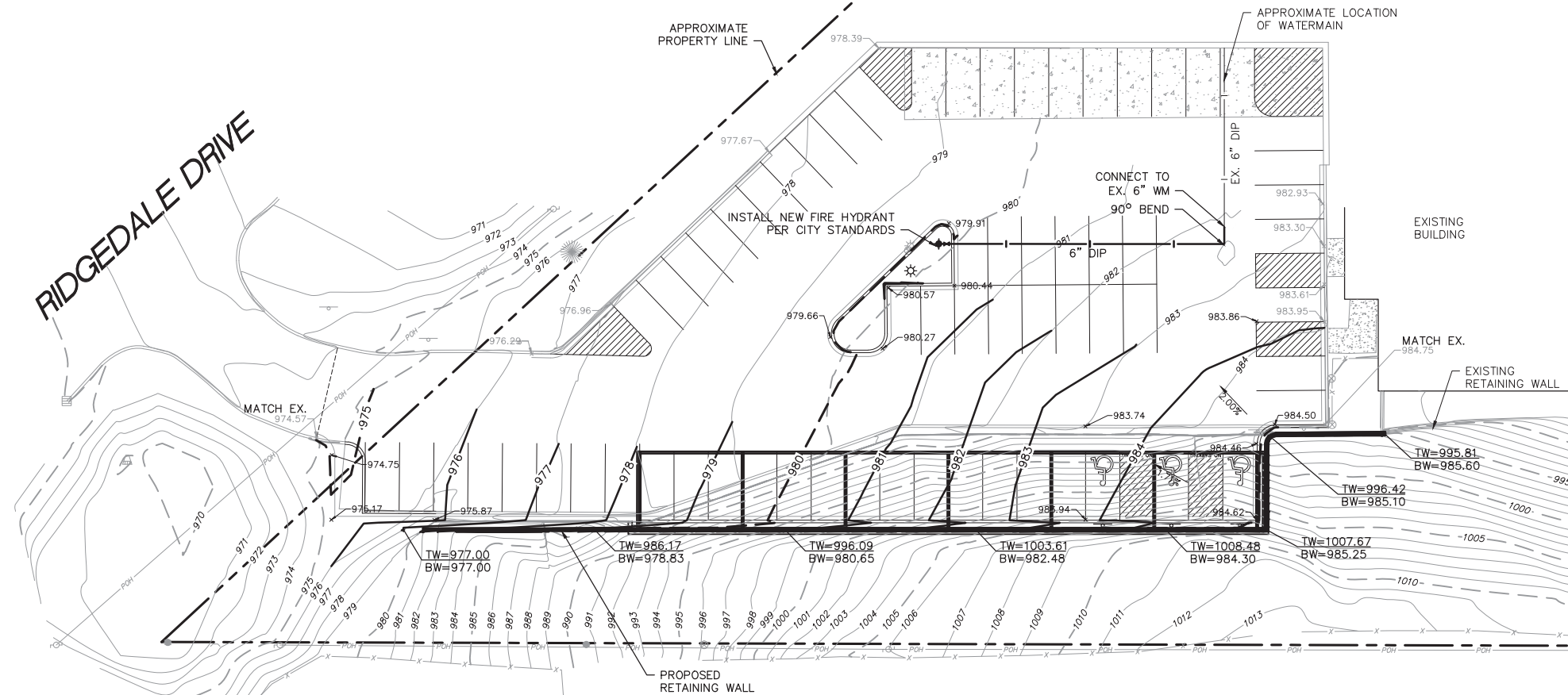
Sheet: 5 of 9

14001 Ridgedale Dr

07041.16a

Grading Notes

1. LOCATIONS AND ELEVATIONS OF EXISTING TOPOGRAPHY AND UTILITIES AS SHOWN ON THIS PLAN ARE APPROXIMATE. CONTRACTOR SHALL FIELD VERIFY SITE CONDITIONS AND UTILITY LOCATIONS PRIOR TO EXCAVATION/CONSTRUCTION. THE ENGINEER SHALL BE NOTIFIED IMMEDIATELY IF ANY DISCREPANCIES ARE FOUND.
2. 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.
3. 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.
4. 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.
5. 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.
6. ALL SLOPES SHALL BE GRADED TO 3:1 OR FLATTER, UNLESS OTHERWISE INDICATED ON THIS SHEET.
7. 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.
8. SPOT ELEVATIONS SHOWN INDICATE FINISHED PAVEMENT ELEVATIONS & GUTTER FLOW LINE UNLESS OTHERWISE NOTED. PROPOSED CONTOURS ARE TO FINISHED SURFACE GRADE.
9. 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.
10. ALL CONSTRUCTION SHALL CONFORM TO LOCAL, STATE AND FEDERAL RULES.
11. 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 TANDEN-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 RECOMPACTED AS SPECIFIED HEREIN.
12. 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.
13. 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.



General Utility Notes

1. CONTACT ROSEVILLE ENGINEERING AT (651) 792-7004, 24 HOURS PRIOR TO CONNECTION TO CITY SANITARY SEWER AND WATER MAIN.
2. ALL SANITARY SEWER, STORM SEWER AND WATER MAIN INSTALLATIONS SHALL BE PER 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.
3. 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.
4. 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.
5. PROVIDE WATER MAIN THRUST RESTRAINTS PER CITY STANDARD REQUIREMENTS.
6. ALL MATERIALS SHALL COMPLY WITH THE REQUIREMENTS OF THE CITY.
7. ALL WATER LINES SHALL BE DUCTILE IRON WRAPPED IN POLYETHYLENE, CLASS 52 WITH 8' MINIMUM COVER. PROVIDE MINIMUM SEPARATION OF 18" FROM SANITARY SEWER & STORM SEWER. INSULATE WATER MAIN IF LESS THAN 7.5' OF COVER.

Legend

EXISTING	PROPOSED	
---	---	PROPERTY LINE
---	---	LOT LINE
---	---	INDEX CONTOUR
---	---	INTERVAL CONTOUR
---	---	CURB AND GUTTER
---	---	POND NORMAL WATER LEVEL
---	---	SILT FENCE
---	---	STORM SEWER
---	---	FLARED END SECTION (WITH RIPRAP)
---	---	WATER MAIN
---	---	SANITARY SEWER
---	---	RETAINING WALL
---	---	DRAIN TILE
---	---	BREAK LINE
---	---	SPOT ELEVATION
---	---	FLOW DIRECTION
---	---	TOP AND BOTTOM OF RETAINING WALL

Westwood

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 7699 Anagram Drive
 Eden Prairie, MN 55344
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 Fax (952) 937-5822
 Toll Free (888) 937-5150
 westwoodps.com

Designed: CDH
 Checked: CDH
 Drawn: ZHW
 Record Drawing by/date:

Revisions:

I hereby certify that this plan 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.

Chris Huss
 Date: 02/19/16 License No. 26751

NOT FOR CONSTRUCTION

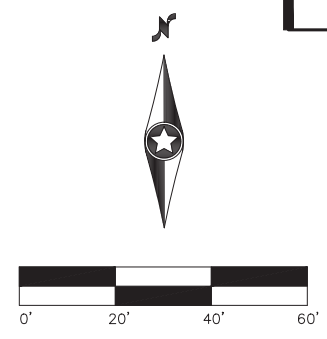
Prepared for:
Mohagen Hansen Architectural Group

1000 Twelve Oaks Center Drive Suite 200
 Wayzata, MN

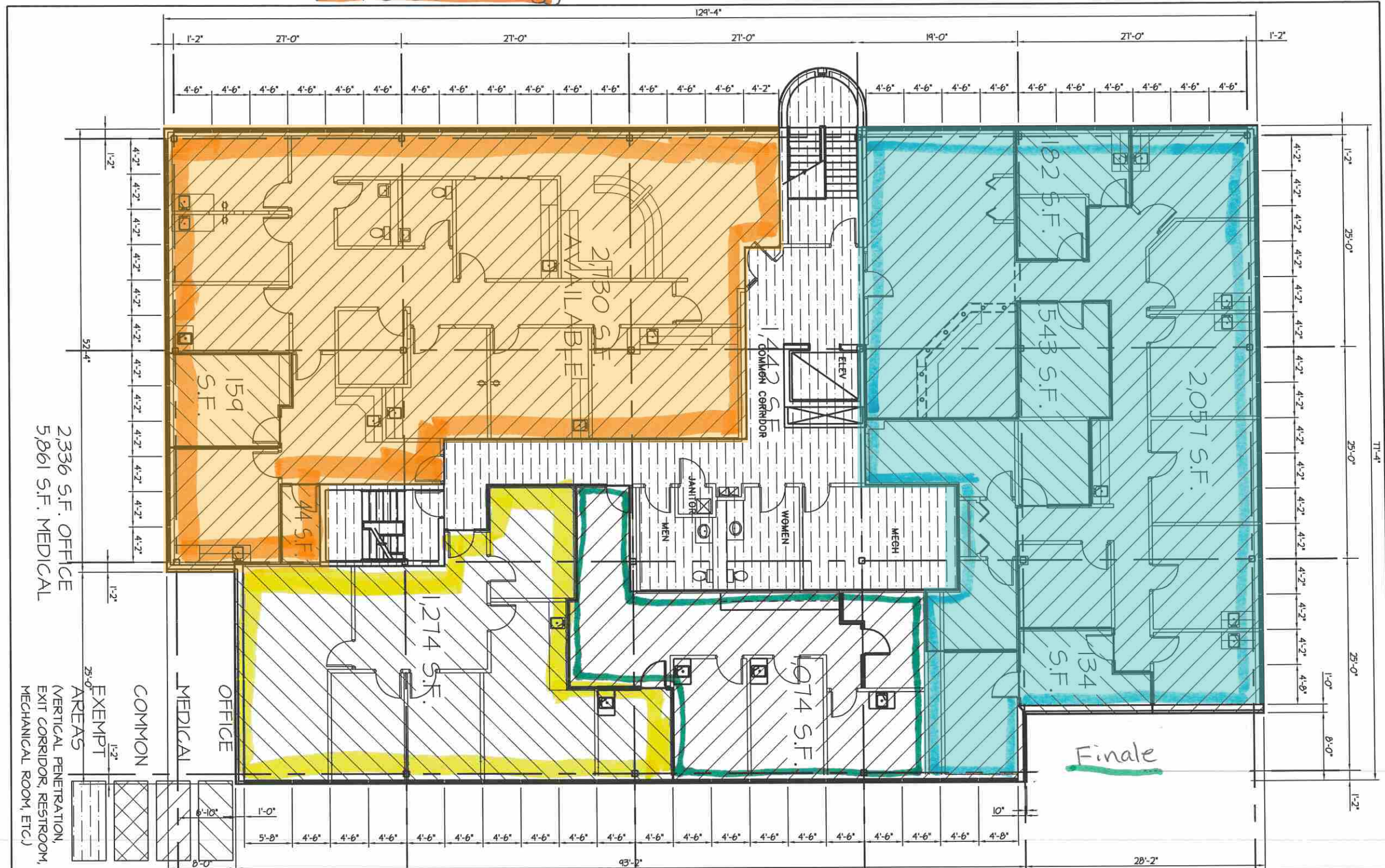
Ridgedale Office Parking Lot Expansion
 Minnetonka, Minnesota

Grading & Utility Plan

Date: 02/19/16
 Sheet: 2 of 5
 Ridgedale Dr. LLC
 14001 Ridgedale Dr.
 07041.16a



Lakes Dermatology



ultimate wellness

Finale

2,336 S.F. OFFICE
5,861 S.F. MEDICAL
COMMON
MEDICAL
OFFICE
EXEMPT AREAS
VERTICAL PENETRATION
EXIT CORRIDOR, RESTROOM,
MECHANICAL ROOM, ETC.)

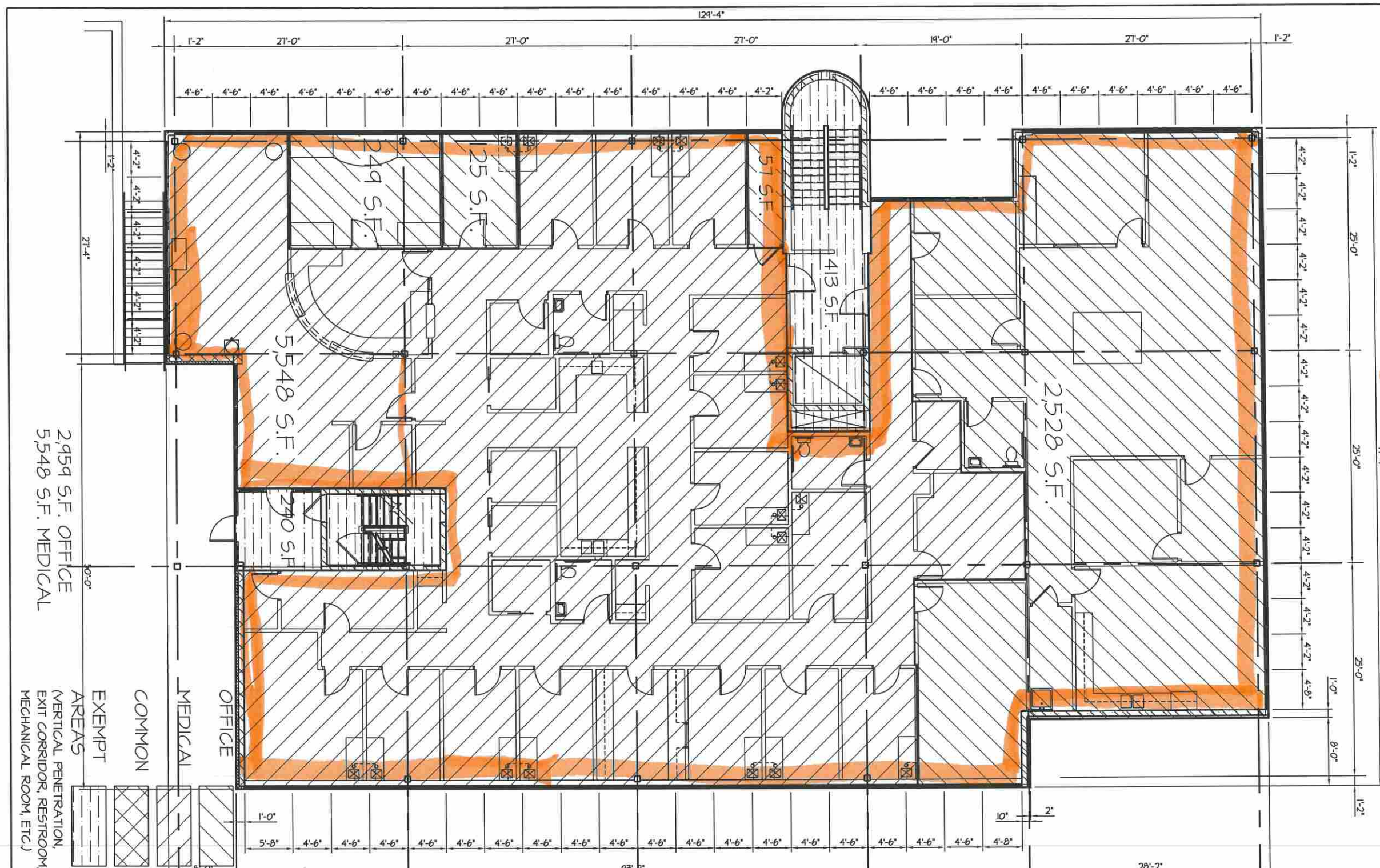
South Lake Peds
Business Office

GROOTWASSINK REALTY
6440 FLYING CLOUD DRIVE, SUITE 203
EDEN PRAIRIE, MN 55344
(952) 944-1665

R & C
DRAFTING
AND
ESTIMATING

9448 CREEK RIDGE LANE
SAVAGE, MN. 55378
(612) 965-3999

PLAN - AREA THIRD FLOOR 14001 RIDGEDALE DRIVE MINNETONKA, MINNESOTA		CHECKED BY	DRAWN BY RPC	DATE 3/10/16	SCALE 1/16"=1'-0"	SHEET NO. 3A
------------------------------------------------------------------------------	--	------------	-----------------	-----------------	----------------------	------------------------



2,959 S.F. OFFICE
 5,548 S.F. MEDICAL

EXEMPT AREAS
 VERTICAL PENETRATION
 EXIT CORRIDOR, RESTROOM,
 MECHANICAL ROOM, ETC.)

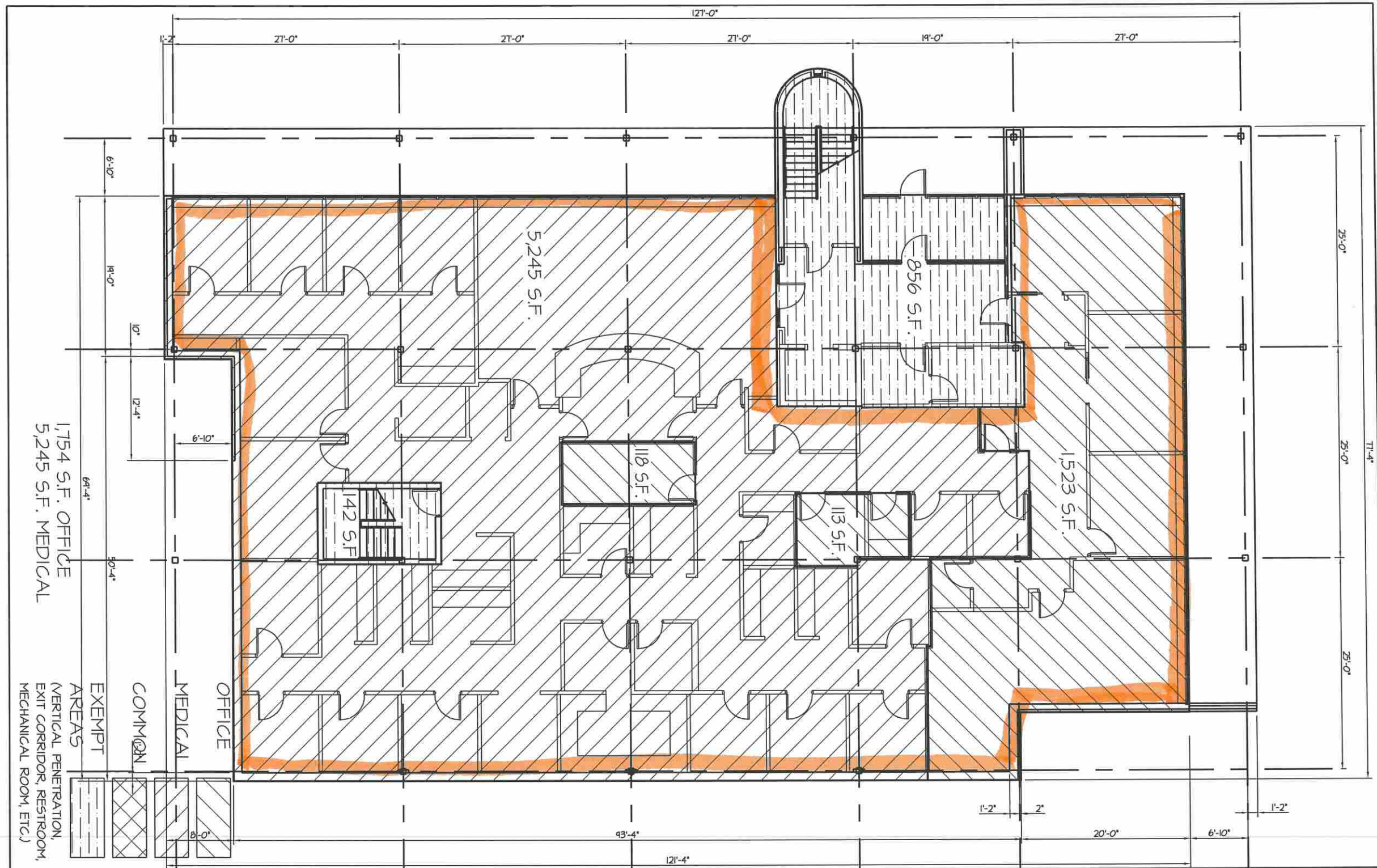
0806_Ridgedale.dwg
 GROOTWASSINK REALTY
 6440 FLYING CLOUD DRIVE, SUITE 203
 EDEN PRAIRIE, MN 55344
 (952) 944-1665

R & C
 DRAFTING
 AND
 ESTIMATING

9448 CREEK RIDGE LANE
 SAVAGE, MN. 55378
 (612) 965-3999

PLAN - AREA
 SECOND FLOOR
 14001 RIDGEDALE DRIVE
 MINNETONKA, MINNESOTA

CHECKED BY	DRAWN BY	DATE	SCALE	SHEET NO.
	RPC	3/10/16	1/16"=1'-0"	2A



South Lake Peds

1,754 S.F. OFFICE
5,245 S.F. MEDICAL

OFFICE
MEDICAL
COMMON
EXEMPT AREAS
VERTICAL PENETRATION
EXIT CORRIDOR, RESTROOM,
MECHANICAL ROOM, ETC.)

0806_Ridgedale.dwg

GROOTWASSINK REALTY
6440 FLYING CLOUD DRIVE, SUITE 203
EDEN PRAIRIE, MN 55344
(952) 944-1665

R & C
DRAFTING
AND
ESTIMATING
9448 CREEK RIDGE LANE
SAVAGE, MN. 55378
(612) 965-3999

PLAN - AREA
FIRST FLOOR
14001 RIDGEDALE DRIVE
MINNETONKA, MINNESOTA

CHECKED BY	DRAWN BY	DATE	SCALE	SHEET NO.
	RPC	3/10/16	1/16"=1'-0"	1A

Site Photos



Ridgedale Dr LLC
14001 Ridgedale Dr
07641-16a

1979 Approval

4. Building Occupancy: This building is anticipated to be constructed this fall with occupancy planned for spring of 1980. The service road extending east from Essex Road to Plymouth Road will not be completed until summer or fall of 1980. This will result in undesirable and hazardous left turns from westbound Highway 11 to the southwaly service road entrance at Lakeside. We would recommend that this development be closely coordinated with completion of this new frontage road.

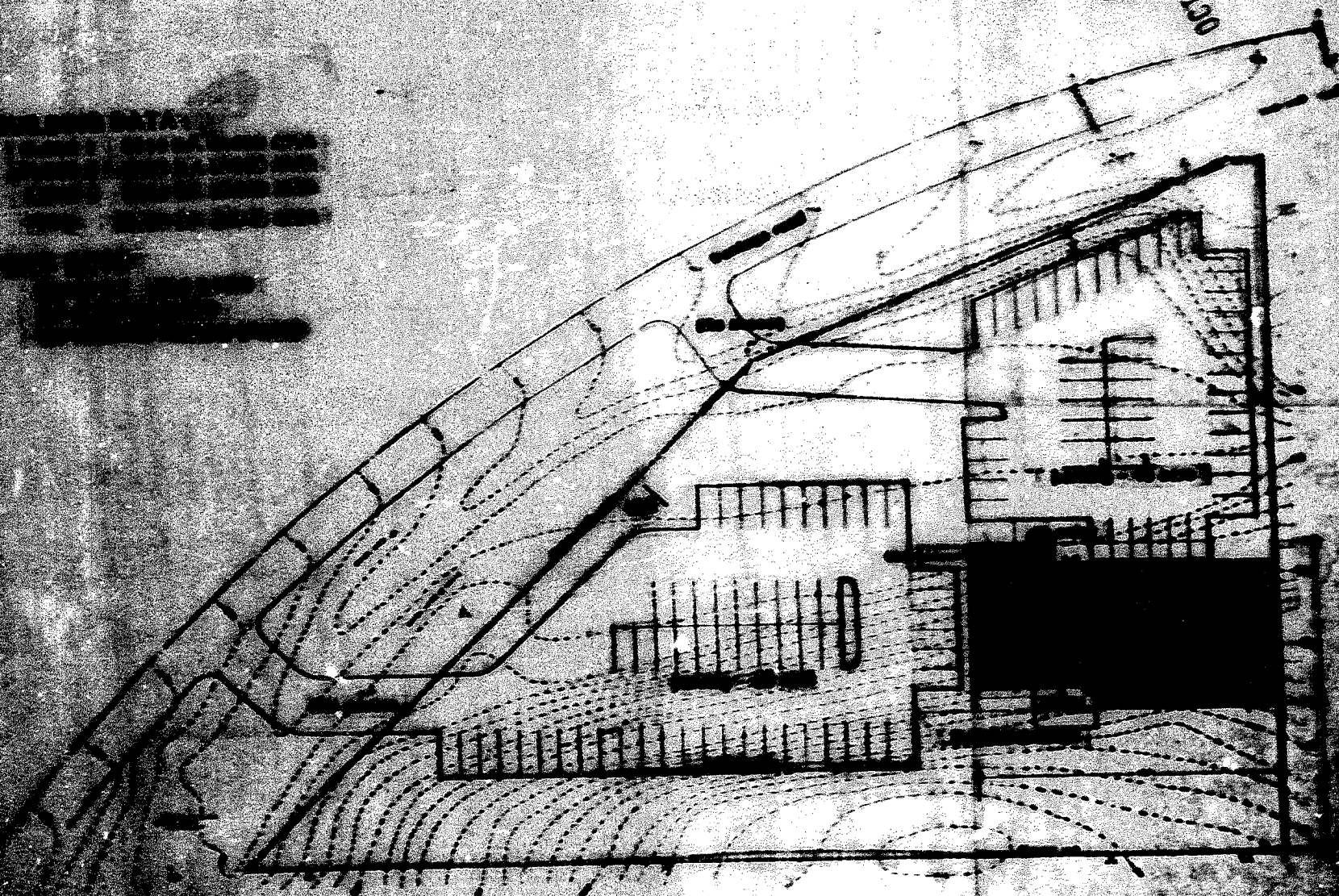
STAFF RECOMMENDATION: Staff would recommend approval to Site Plan No. J-19 and acceptance of the new traffic report for the Satterman Office building with a variance for building height, subject to the following:


1. A Minnesota Highway Department Access permit be secured for the driveway cut.
2. Approval of the drainage/grading plans, which will examine the existing City 30" storm pipe and the potential need for a sump, by the Minnehaha Creek Watershed District and the Minnesota Highway Department.
3. The existing mature trees along the south property boundary be retained.
4. The City Fire Marshal approve the utility plans.
5. The rooftop aggregate be of a color compatible with the exterior building facade. If there are rooftop fixtures, they be screened.
6. Final landscape signage and lighting plan review by the Planning Dept.
7. A revised site plan be submitted to the Planning Department for approval for the northeastern portion of the site that indicates a common driveway easement (if possible) with the Westridge Office Building and parking islands, the elimination of the eastern access point, and elimination of the parking stall variance.
8. The City reserve the right to restrict right turning movements onto the south service road.
9. The applicant prepare and post alternate route maps within the building.
10. The applicant attempt to lease no more than 60% of the office space for medical uses.

13 B
OCT 22 1979

OCT 2 1998
A
B

REVISIONS:
NO. DATE BY
1 10/2/98 JLD
2 10/2/98 JLD
3 10/2/98 JLD
4 10/2/98 JLD
5 10/2/98 JLD
6 10/2/98 JLD
7 10/2/98 JLD
8 10/2/98 JLD
9 10/2/98 JLD
10 10/2/98 JLD



 FLOOR PLAN WITH BALCONY FLOOR 1

2007 Approval

RESOLUTION NO. 2007-129

RESOLUTION APPROVING A CONDITIONAL USE PERMIT, WITH A PARKING VARIANCE, FOR A MEDICAL CLINIC IN THE PLANNED I-394 ZONING DISTRICT, AT 14001 RIDGEDALE DRIVE.

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

Section 1. **BACKGROUND.**

- 1.01 Fendler Patterson Construction, Inc., is requesting a conditional use permit, with a parking variance, for a medical clinic in the Planned I-394 zoning district (Project 07041.07a).

Based on city code regulations the proposed use would require 142 parking stalls. The site currently contains 114 parking stalls; therefore, a parking variance is required.

- 1.02 The property is located at 14001 Ridgedale Drive. It is legally described as follows:

Parcel 1:

That part of the Northwest Quarter of the Southwest Quarter of Section 3, Township 117 North, Range 22 West of the 5th Principal Meridian, lying Southeasterly of the highway right of way line and Northerly of a line parallel with the North line of said Northwest Quarter of the Southwest Quarter and drawn from a point in the East line of said Northwest Quarter of the Southwest Quarter, distant 745 feet North of the Southeast corner thereof, Hennepin County, Minnesota.

Parcel 2:

The West half of that part of Lincoln Road lying North of the Easterly extension of the North line of the White Birch Hill Addition, as originally platted in the plat of Fairfield Acres, Hennepin County, Minnesota.

1.03 On September 13, 2007, the Planning Commission held a hearing on the application. The applicant was provided the opportunity to present information to the Planning Commission. The Planning Commission considered all of the comments and the staff report, which are incorporated by reference into this resolution. The Commission recommended that the City Council approve the permit.

Section 2. GENERAL STANDARDS.

2.01 City Code Section 300.21, Subdivision 2, lists the following general standards that must be met for granting of the permit:

1. The use is consistent with the intent of this ordinance;
2. The use is consistent with the goals, policies and objectives of the comprehensive plan;
3. The use does not have an undue adverse impact on governmental facilities, utilities, services or existing or proposed improvements;
4. The use is consistent with the city's storm water management plan;
5. The use is in compliance with the performance standards specified in Section 300.28 of this ordinance; and
6. The use does not have an undue adverse impact on the public health, safety or welfare.

Section 3. SPECIFIC STANDARDS.

3.01 City Code Section 300.21, Subdivision 3(e) lists the following specific standards that must be met for granting of the permit:

1. Shall not be adjacent to low density residential areas;
2. Site shall have direct access to collector or arterial street as defined in the comprehensive plan;
3. Emergency vehicle access shall not be adjacent to or located across a street from any residential use.

Section 4. FINDINGS.

4.01 The proposal meets the conditional use permit standards.

4.02 The proposal meets the variance standards:

1. The existing building and associated parking lot was approved and designed for partial medical use and met all code requirements at the time of approval. Subsequent changes to the ordinance have resulted in non-conformity. The discrepancy between the original intended use of the site and current code requirements presents a practical difficulty.
2. There are several circumstances unique to this property.
 - a. The subject property is separated from residential properties by a significant grade change and vegetated screening.
 - b. There is a significant discrepancy between the code required parking and the parking demand actually created by the proposed use.
3. For many years the subject property was used almost entirely for medical purposes. Staff is not aware that this medical use adjacent to residential area or its associated parking had any negative impact on the essential character of the neighborhood.

Section 5. CITY COUNCIL ACTION.

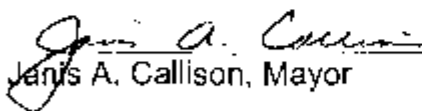
5.01 The above-described conditional use permit is approved, subject to the following conditions:

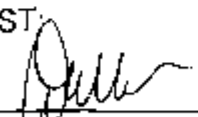
1. Submit/complete the following before the city issues a building permit:
 - a. Submit proof of having recorded this resolution with the county before the city issues a building permit.
 - b. Submit a construction management plan; this plan must outline parking and construction access and stockpile and material storage.
 - c. Install temporary rock driveway, erosion control, tree protection and lake protection fencing, subject to review by

the city's natural resources staff. These items must remain in place throughout the course of construction.

2. A maximum of 75% of the gross floor area of the building may be used as a medical clinic. The property manager must provide a written report to the city no later than January 30 of each year specifying the percentage of space leased as a medical clinic. If there is insufficient parking on site and parking problems occur, the city may require that the percentage used by a medical clinic be reduced to eliminate the parking issue.
3. Violation of the conditional use permit standards outlined in City Code 300.21.4(o) or conditions placed upon the conditional use permit shall result in immediate revocation of the conditional use permit.
4. The city council may review the conditional use permit and may reasonably add or revise conditions to address any future unforeseen problems.
5. Any change to the approved use that results in a significant increase in traffic or a significant change in character would require a revised conditional use permit.
6. The applicant must agree to the above conditions in writing.

Adopted by the City Council of the City of Minnetonka, Minnesota, on September 24, 2007.


Janis A. Callison, Mayor

ATTEST:

David E. Maeda, City Clerk

ACTION ON THIS RESOLUTION:

Motion for adoption: Wagner

Seconded by: Allendorf

Voted in favor of: Thomas, Allendorf, Ellingson, Wagner, Wiersum, Callison

Voted against:

Abstained:

Absent: Schneider

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 September 24, 2007.

David E. Maeda, City Clerk

SEAL

Neighborhood feedback

Ashley Cauley

From: Corinne Abdou [REDACTED] >
Sent: Thursday, March 24, 2016 1:52 PM
To: Ashley Cauley
Cc: Patti Knapp [REDACTED]
Subject: Public Hearing Regarding 14001 Ridgedale Drive

Hello Ashley,

We are a tenant in this building. We are a primary care pediatric group seeing newborns through college age patients and their parents.

In addition, there is an OB/Gyn practice in the building.

The point is that we have pregnant women, women/men with little children, strollers and multiple siblings trying to park and cross the parking lots to our entrance doors. At times they cannot find space during certain busy times of the year. We all desperately need additional parking options and totally support the addition that our landlord is proposing.

We urge you to support it too.

Please feel free to call me.

Sincerely,

Corinne L. Abdou
Administrator
Wayzata Children's Clinic, P.A.
14001 Ridgedale Drive, Suite 100
Minnetonka, MN 55305

[REDACTED]

"The single biggest problem in communication is the illusion that it has taken place." – George Bernard Shaw

 **Wayzata Children's Clinic**
CHASKA | DELANO | MINNETONKA | SPRING PARK
www.wayzatachildrensclinic.com

Privacy Notice

The information transmitted in this e-mail and any files attached to it are intended only for the person or entity to which it is addressed and may contain confidential or privileged material, including "protected health information". If you are not the intended recipient, you are hereby notified that any review, retransmission, dissemination, distribution, or copying of this message is strictly prohibited. If you have received this in error, please destroy and delete this message from any computer and contact Wayzata Children's Clinic, P.A. immediately by return e-mail

From: [Patti Knapp](#)
To: [Ashley Cauley](#); [Corinne Abdou](#)
Subject: RE: Public Hearing Regarding 14001 Ridgedale Drive
Date: Thursday, March 24, 2016 4:34:32 PM
Attachments: [image001.jpg](#)

Hi Ashley,

If I may I'd like to add that we have an Open (walk-in) Clinic 6 days a week at this location, it's quick care for simple illnesses and injuries. Hours are Monday – Thursday 8am-8pm, Friday 8am-5pm, and Saturday 9am-12pm. This makes for a random, unpredictable flow of patients. Occasionally our patient families don't know where to park so they call us as they circle the lot asking us where they can park.

[Patti Knapp](#)

Clinic Operations Manager

14001 Ridgedale Drive, Suite 100

Minnetonka, MN 55305-1781



CHASKA | DELANO | MINNETONKA | SPRING PARK

www.wayzatachildrensclinic.com

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Planning Commission Resolution No. 2016 -
Resolution denying final site and building plans, with a parking
lot setback variance, for a parking lot expansion
at 14001 Ridgedale Drive

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

Section 1. Background.

1.01 Ridgedale Dr, LLC is requesting site and building plan review to construct a parking structure on the south side of the subject property. The applicant is also requesting a variance to reduce parking setback from 20 feet to 0 feet to allow parking within the required setback and city right-of-way. (Project 07041.16a).

1.02 The property is located at 14001 Ridgedale Drive. The property is legally described as follows:

Parcel 1:

That part of the Northwest Quarter of the Southwest Quarter of Section 3, Township 117 North, Range 22 West of the 5th Principal Meridian, lying Southeasterly of the highway right-of-wayline and Northerly of a line parallel with the North line of said Northwest Quarter of the Southwest Quarter and drawn from a point in the East line of said Northwest Quarter of the Southwest Quarter, distant 745 feet North of the Southeast corner thereof, Hennepin County, Minnesota.

Parcel 2:

The West half of that part of Lincoln Road lying North of the Easterly extension of the North line of the White Birch Hill Addition, as originally platted in the plat of Fairfield Acres, Hennepin County, Minnesota.

1.03 In 1979 the city approved final site and building plans for a 26,855 square foot medical and office building on the subject property. Specifically related

to traffic concerns, a condition of approval limited the amount of medical use within the building to 60 percent. At the time of approval, the property was zoned B-4, General Business District, which allowed medical clinics as a permitted use.

- 1.04 Following the rezoning of the property to PID, which allows medical clinics as conditionally permitted uses, the city approved Resolution 2007-129. This resolution approved an increase in the amount of medical use within the building from 60 percent to 75 percent. The resolution states if there is insufficient parking on site and parking problems occur, the city may require that the percentage of the building used by a medical clinic be reduced to eliminate the parking issue.
- 1.05 Minnesota Statute §462.357 Subd. 6, and City Code §300.07 authorizes the Planning Commission to grant variances.
- 1.06 City Code §300.27 Subd. 6 authorizes the Planning Commission to approve final site and building plans.

Section 2. General 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.
- 2.02 City Code Section §300.27, Subd. 5, lists the following standards that must be met for site and building plan review:
1. Consistency with the elements and objectives of the city's development guides, including the comprehensive plan and water resources management plan;
 2. Consistency with this ordinance;
 3. Preservation of the site in its natural state to the extent practicable by minimizing tree and soil removal and designing grade changes to be in keeping with the general appearance of neighboring developed or developing areas;
 4. Creation of a harmonious relationship of buildings and open spaces with natural site features and with existing and future buildings

having a visual relationship to the development;

5. Creation of a functional and harmonious design for structures and site features, with special attention to the following:
 - 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.
6. Promotion of energy conservation through design, location, orientation and elevation of structures, the use and location of glass in structures and the use of landscape materials and site grading; and
7. Protection of adjacent and neighboring properties through reasonable provision for surface water drainage, sound and sight buffers, preservation of views, light and air and those aspects of design not adequately covered by other regulations which may have substantial effects on neighboring land uses.

Section 3. Findings.

3.01 The applicant's request to allow parking within the required setback and the city's right-of-way would not meet the required standards for a variance outlined in City Code §300.07:

1. **INTENT OF THE ORDINANCE:** The proposal does not meet the purpose and intent of the zoning ordinance. The purpose of the parking lot setback is to ensure adequate separation between the traveled portion of a roadway and parking lots. As proposed, the

parking lot would extend beyond the property lines and into the city's right-of-way.

2. **CONSISTENCY WITH THE COMPREHENSIVE PLAN:** The proposal would not be consistent with the city's comprehensive guide plan. As a valuable public asset, the city's right-of-way should be protected and should serve the greatest public good. By allowing private parking the city's right of way, the area would no longer serve the greater public good but would promote the privatized use of the public area.
3. **PRACTICAL DIFFICULTIES:**
 - a) **REASONABLENESS and UNIQUE CIRCUMSTANCE:** Staff does not find the variance request reasonable or the result of a circumstance unique to the property:
 - Rather than a circumstance unique to the property, the variance request is the result of building tenant requests.
 - The paved area, proposed for stripping, was created at some point after the building's construction to store the building's trash enclosure. The enclosure was relocated at the request of city staff in 2011. The variance is not justified simply because the area is already paved.
 - The intent of parking lot setbacks is to allow for appropriate separation between the traveling public and parking lots. As currently proposed, the proposed parking area would encroach into the city's right-of-way.
 - The parking demand could be reduced by reducing the amount of medical use within the building. Based on recently submitted floor plans, the amount of medical use within the building exceeds the amount allowed by Resolution No. 2007-129.
 - The perceived parking issue is likely the result of a lack of convenient parking rather than an actual shortage of parking stalls. During staff observations the parking lot never exceeded a 68 percent occupancy.

- b) CHARACTER OF THE LOCALITY: The proposed parking lot setback would not be consistent with the neighborhood character. While the parking lots of the commercial areas along Ridgedale Drive have varying setbacks, all but one property have a setback of at least five feet. The proposed variance would allow for encroachment into the city's right of way.

3.02 The proposal would not comply with site and building standards as outlined in city code.

1. While the previously adopted Resolution 2007-129 allowed for additional medical space within the building, it included a condition of approval stating that if parking problems were to occur the amount of medical use should be reduced. Staff finds that the parking demand could be reduced by reducing the amount of medical use within the building.
2. The proposal is not consistent with the intent of the city's ordinance or with Resolution No. 2007-129.
3. While the slope of the existing berm does not meet the criteria required to be considered a steep slope by ordinance, the slope is significant. Under the current proposal the existing slope would be significantly altered. This alteration would result in a diminished visual and sound buffer of the more intense commercial areas to the residential properties to the south.
4. The proposal would significantly change the visual and physical relationship of the built environment to the property's open space by altering a significant amount of the existing topography and removing a number of existing mature trees.
5. While the proposal would create additional parking on site, it would not result in a significantly improved sense of internal order or vehicular circulation.
6. The proposal does not include features which promote energy conservation.
7. The existing berm has served as a visual and a sound buffer to the residential properties to the south since the building's construction. The proposed landscaping plan, tree removal and grading would

result in a significantly diminished buffer for the residential properties. The mature trees would be replaced with shrubs and perennials.

Section 4. Planning Commission Action.

4.01 The planning commission denies the site and building plan, with a parking lot setback variance, based on the above findings.

Adopted by the Planning Commission of the City of Minnetonka, Minnesota, on April 14, 2016.

Brian Kirk, 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 April 14, 2016.

Kathy Leervig, Deputy City Clerk

SEAL

MINNETONKA PLANNING COMMISSION
April 14, 2016

Brief Description	Items concerning a licensed day care facility at 14730 Excelsior Boulevard: 1) A conditional use permit; and 2) Final site and building plans
Recommendation	Recommend the city council adopt the resolution approving the conditional use permit and plans

Background

Kraemer's Hardware has operated at various locations within the Glen Lake area for over 100 years. In 1972, the store moved into the then newly constructed building at the northeast corner of Excelsior Boulevard/ Willison Road intersection. In 2012, the store relocated to the south side of Excelsior Boulevard; its former north location has remained vacant since.

The city has reviewed several redevelopment proposals for the site over the years. The most recent was in 2015 when the city approved a proposal, by Lake West Development and Prestige Preschool, to operate a licensed day care facility within the existing Kraemer's building. In addition to some site improvements, the proposal included an extensive amount of interior and exterior remodeling of the building to accommodate the center. Generally, the city council was comfortable with the day care use but was somewhat concerned with the proposed building aesthetics and architecture. (See 2015 plans, resolution, and minutes on pages A16-A28.)

Current Proposal

The city has received a new proposal by Shingobee Real Estate Company, on behalf of Prestige Preschool Academy, to tear down the former hardware store and construct a new single story building. Additional site improvements include outdoor play areas and a newly constructed parking area. (See narrative and plans on page A1-A13.) The proposal requires a conditional use permit and site and building plan review, with front yard setback variance from 50 feet to 35 feet.

Primary Questions and Analysis

A land use proposal is comprised of many details. In evaluating a proposal, staff first reviews these details and then aggregates them into a few primary questions or issues.

The following outlines both the primary questions associated with the proposed day care center and staff's findings.

- **Is the proposed use generally reasonable?**

Yes. Preschools and day cares are conditionally permitted uses in commercial districts. The proposed facility would meet all conditional use permit standards, which are outlined in the "Supporting Information" section of this report.

- **Is the requested front yard setback variance reasonable?**

Yes.

1. Reasonableness and unique circumstance: Staff finds that the variance request is reasonable and is the result of a circumstance unique to the property:

- The unique lot configuration and corner lot setbacks are not common to all similarly zoned properties.
- The variance request would allow for the proposed building to be centered on the property. Further, the variance would allow for a more appropriate separation between the proposed building and the building to the east. Currently, the existing building and building to the east have a separation of only five feet.
- The redevelopment of the site would increase the amount of green space on the property.

2. Neighborhood character: The variance would not alter the character of the existing neighborhood. As proposed, the setback from the west property line adjacent to Williston Road would be 35 feet. By city code all properties in this area, including residential properties along Williston Road, are required to maintain a 50-foot setback from Williston Road right-of-way. Half of the properties within 1,000 feet along Williston Road have a front yard setback of 35 feet or less. Further, the city council recently approved a 35-foot front yard setback for Williston Woods West, a five lot subdivision, immediately adjacent to the subject property. While these other properties are residential, the proposed building would generally align with existing and approved setbacks in the area. (See page A14.)

- **Are the proposed building and site changes appropriate?**

Yes. Staff finds that the proposed building and site changes are appropriate.

1. Site improvements. As proposed, the Williston Road access would move south on the property. This coupled with the reconstruction of the parking lot would result in a significant reduction in impervious surface area on the property. In fact, the amount of impervious surface on the property would be reduced by almost 20 percent. A landscaped bioswale area would be constructed at the Excelsior Boulevard/Williston Road intersection. While the function of the swale is for stormwater management, it would also provide for a more pedestrian friendly environment over existing conditions. The proposal also includes two play areas and a significant amount of reclaimed turf area. Additional site improvements would occur as conditions of approval, including a sidewalk connection from the Excelsior Boulevard/Williston Road intersection to the north property line.

2. Building. Under the proposed plan, the existing building would be removed in order to construct a new single story 10,000 square foot building. Prestige Preschool Academy has submitted elevation drawings of their Apple Valley location. The applicant has indicated that the Minnetonka location would be developed with the same color palate and material choice. Included as a condition of approval, the applicant must submit a final material and color palate board.

Staff Recommendation

Recommend that the city council adopt the resolution on pages A30–A40. This resolution approves a conditional use permit and final site and building plans, with setback variance, for a licensed day care facility at 14730 Excelsior Boulevard.

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

Supporting Information

Project No. 14003.16a

Surrounding Land Uses Northerly: Willison Woods West, single family detached homes
 Easterly: Commercial property
 Southerly: Excelsior Boulevard; commercial property beyond
 Westerly: Williston Road; two family homes beyond

Planning Guide Plan designation: Commercial
 Zoning: B-3

Previous CUP The conditional use permit, approved in 2015, was tied to the specific site and building plans proposed at that time. Since the previous site and building plan approval was for the reuse of an existing building, a new conditional use permit is required.

Existing site Conditions The site is 1.18 acres in size and is currently improved with a single story 13,000 square foot building. The existing building has non-conforming north and east setbacks. The building on the property to the east is 0.2 feet from the property line. As a result, the separation between the two existing buildings is only five feet.

The property currently has direct access onto Williston Road to the west and Excelsior Boulevard to the south. Currently, a significant amount of the property is paved for parking and for areas previously used by the hardware store for outdoor storage.

Proposed Building The proposed building would be just over 10,000 square feet in size and would be generally centered on the property. The following chart is intended to summarize the required, existing and proposed setbacks for the property.

	Required by ordinance	Existing building	Proposed building
West front yard setback	50 ft	55 ft	35 ft *
South front yard setback	50 ft	65 ft	57 ft
East side yard setback	35 ft	5 ft	35 ft
North rear yard setback	35 ft	30 ft	37 ft
Lot coverage	85%	63%	42%

* requires setback variance

Proposed Day care The day care use itself would operate similar to what was approved in 2015. The facility would operate from 6:30 a.m. to 6:30 p.m. Monday through Friday. The facility would be licensed for up to 178 children, ranging in age from infants to young school children.

Parking Generally, city code parking requirements are based on the land use and the size of the building in which the land use is occurring. However, for day care facilities the city code requires parking to be based on the *licensed capacity* of the facility rather than the size of the building. By both the parking ordinance, and conditional use permit, day care facilities must provide one parking stall for every six children. The proposal includes 30 newly constructed parking stalls, which is the minimum allowed by ordinance for a day care facility licensed for 178 children.

Traffic Based on the traffic studies for other preschool/day care facilities, and the Institute of Transportation Engineers analysis, the proposed day care would generate more traffic than the hardware store previously occupying the site, but less than other potential uses of the building:

		Hardware Store	178 child** day care	Post office
RATE	A.M. Peak	1.1/1000 sf	0.75/child	8.2/1000 sf
	P.M. Peak	4.84/1000 sf	0.51/child	11.1/1000 sf
	Daily	51.29/1000 sf	2.9/child	108.2/1000 sf
Daily	A.M. Peak	14 trips	134 trips	105 trips
	P.M. Peak	62 trips	91 trips	142 trips
	Daily	656 trips	516 trips	1384 trips

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

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

3. The use does not have an undue adverse impact on governmental facilities, utilities, services or existing or proposed improvements; and
4. The use does not have an undue adverse impact on the public health, safety or welfare.

The proposal would meet the general conditional use permit standards as outlined in City Code §300.21 Subd. 3(j):

1. Shall have loading and drop-off points designed to avoid interfering with traffic and pedestrian movements;

Finding: The proposed facility would serve young children. Parents/guardians would park their vehicle and then walk their children into the facility. While entry features are proposed for architectural interest, there would be no outdoor drop-off or pick-up area. As such, the onsite movements would not be interfered.

2. Outdoor play areas shall be located and designed in a manner which mitigates visual and noise impacts on adjoining residential areas;

Finding: Play areas are proposed on the east and west side of the proposed building. A newly constructed fence and landscaping would provide a buffer to the residential properties to the north.

3. One parking space for each six children based on the licensed capacity of the center; and

Finding: The licensed capacity of the day care center would be for 178 children. As proposed, the newly constructed parking lot would have 30 parking stalls, which is the minimum required by ordinance.

4. Shall obtain all applicable state, county and city licensing.

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

SBP Standards

The proposal would 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: Members of the city's community development, engineering, fire and public works staff have reviewed the proposal and find that it is generally consistent with the city's development guides.

2. Consistency with this ordinance;

Finding: But for the requested setback variance, the proposal would meet ordinance standards.

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: While the proposal would disturb a significant amount of the property, the proposal would result in a 20-percent reduction in the amount of impervious surface on the site. This will effectively increase the amount of green space on the property.

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 proposal would result in an increase of landscaping and green space on the site. Further, the proposed bioswale in the southwest corner of the site would add visual interest to the property.

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 proposal would increase the amount of green space on the property. Further, the proposal would revitalize the property. The proposal would not hinder vehicular and pedestrian circulation. In fact, the redesigned parking lot would likely reduce the amount of “cut through” traffic of the site and a sidewalk extension would improve pedestrian access in the area.

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 proposal would reduce the amount of impervious surface on the property and introduce “greener” landscaping and stormwater management techniques to the area.

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 would not negatively impact the surrounding properties, In fact, the proposal would result in a more appropriate setback between the existing building and the building to the east.

Natural Resources

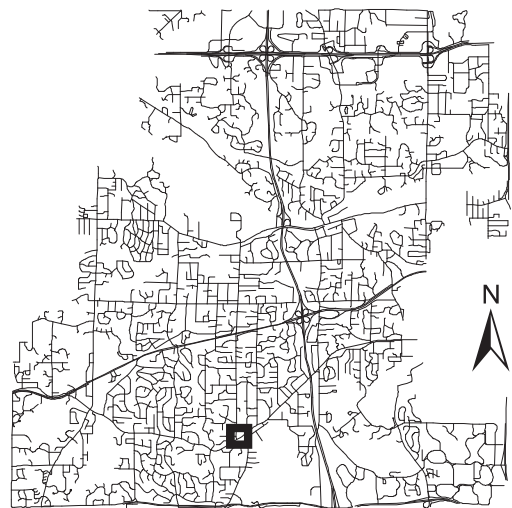
Best management practices must be followed during the course of site preparation and construction activities. This would include installation and maintenance of a temporary rock driveway, erosion control, and tree protection fencing. As a condition of approval the applicant must submit a construction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

Approving Body	The planning commission makes a recommendation to the city council, which has final authority to approve or deny the request. (City Code §300.06 Subd. 4)
Motion Options	<p>The planning commission has three options:</p> <ol style="list-style-type: none">1. Concur with staff's recommendation. In this case, a motion should be made to approve the proposal based on the findings outlined in the staff-drafted resolution.2. Disagree with staff's recommendation. In this case, a motion should be made recommending denial of the proposal. 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.
Neighborhood Comments	The city sent notices to 533 area property owners and received no comments to date.
Deadline for Decision	June 24, 2016



Location Map

Project: Prestige Preschool
Applicant: Shingobee Real Estate
Address: 14730 Excelsior Blvd
Project No. 14003.16a



This map is for illustrative purposes only.



PROJECT NARRATIVE

To: City of Minnetonka

From: Jon Fahning, ASLA, Vice President – Real Estate Development
Stacy Gleason, Seniou Project Manager, LEED AP BD+C

Date: February 22, 2016

Re: Submittal Information and Narrative
Request for Site Plan Approval
Prestige Preschool Academy

On behalf of our tenant, Prestige Preschools Academy, Shingobee Real Estate Company, LLC/Shingobee Builders, Inc. are proposing the development and construction of a facility to house a children's educational academy as part of the 1.19 acres (+/-51,836 sf) of the former Kraemers Hardware location at 14730 Excelsior Boulevard in Minnetonka, Minnesota. Our request is for the review and approval of the Site Plan as part of the recent Conditional Use Permit (Resolution 2006-077) and for the development and construction of a single-story, approximately 10,816 sf facility. This location will be part of the Prestige Preschools portfolio within the Twin Cities metro area, with a recent facilities completed in Apple Valley and in Brooklyn Park, with a series of others in different stages of development. Six to eight additional facilities are anticipate for the metropolitan area, including this Minnetonka facility.

Overview

The request for Site Plan review and approval will allow the construction and development of a single story children's academy facility estimated at 10,816 sf on the 1.19 acre property. The facility proposed would be licensed to provide educational and childcare services for up to approximately 178 children, including infant care, private kindergarten, along with before and after school, and half day programs. In addition to the building, the development of the site would accommodate playgrounds, outside play area, and adequate parking to service the intended use of the property as depicted in the proposed site plan included as part of the submittal package. The construction of the property is intended to start Spring, 2016, and is anticipated to be completed and delivered to our tenant near December, 2016, to allow for opening and licensing in 1st quarter, 2017. Design, review and final licensing of the facility will determine the final square footage and in turn, the license capacity of the facility.

Construction | Project Management | Real Estate Development

669 North Medina Street P.O. Box 8 Loretto, MN 55357 763.479.1300 763.479.3267 fax

A2

www.shingobee.com
Prestige Preschool Academy
14730 Excelsior Blvd
14003.16a

Benefit to Area and City of Minnetonka and its Residents

The proposed facility and its use would fall into that original intent of the area, supporting that vision of an amenity to the surrounding residential areas and compliment to existing land uses. It is understood that the current infrastructure (water, sewer, storm water run-off, and roadways) in place was designed to accommodate a commercial-type use, which our proposed function and design would fall into and anticipate operating within the current capacity of the infrastructure in place.

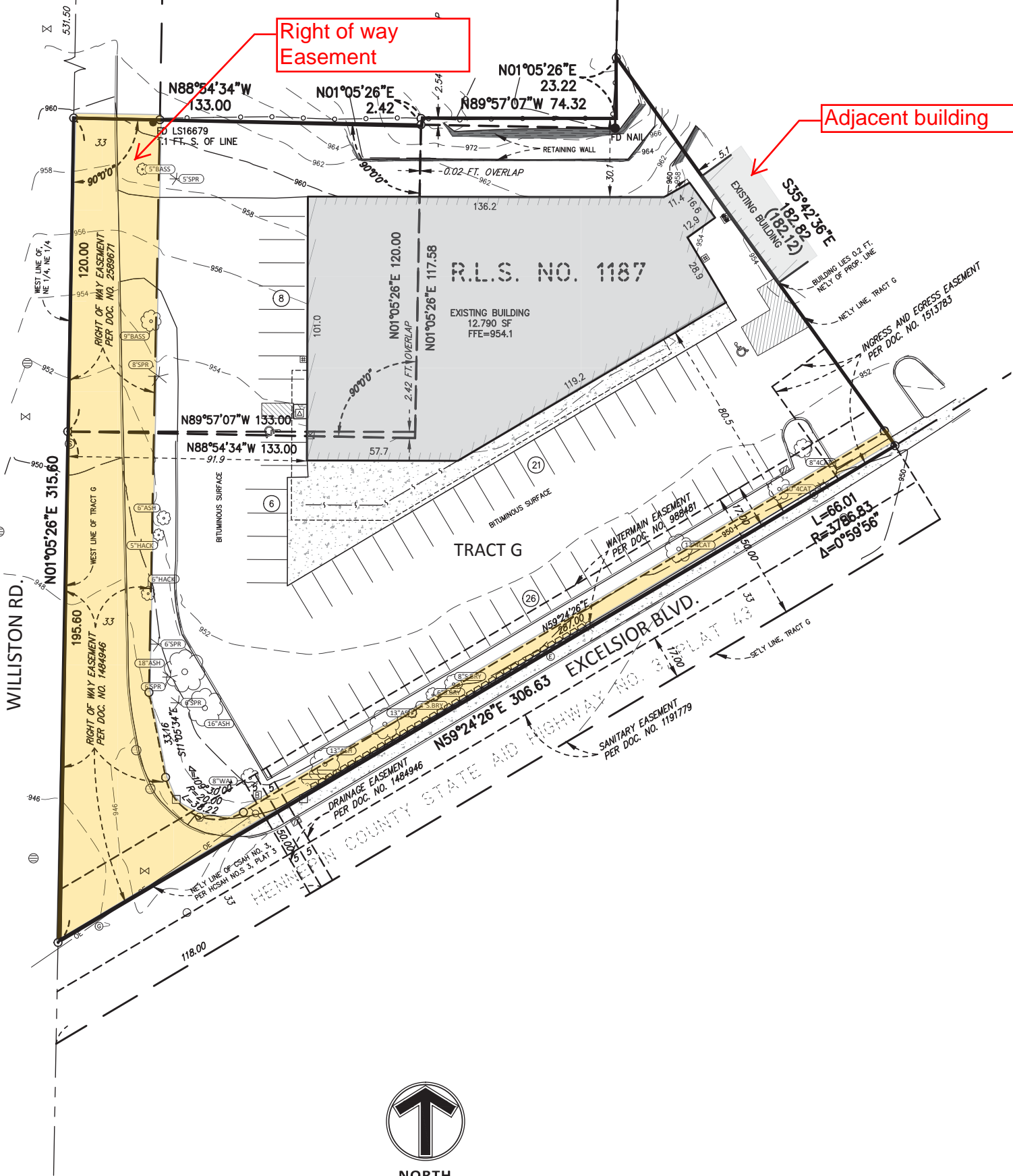
The benefit to the area will be provided both from an aesthetic and support to the existing and proposed uses of the area. The design of the building is intended to blend in with the surrounding residential neighborhood facilities while carefully integrating planned parking and access into the design. Through the use of architectural materials, lighting, signage, and landscaping, the development of this site as a childhood education academy will continue to demonstrate the growth and focus of the City of Minnetonka's commercial vision.

Existing Site Conditions

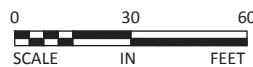
4, NE 1/4, R. 22

Right of way Easement

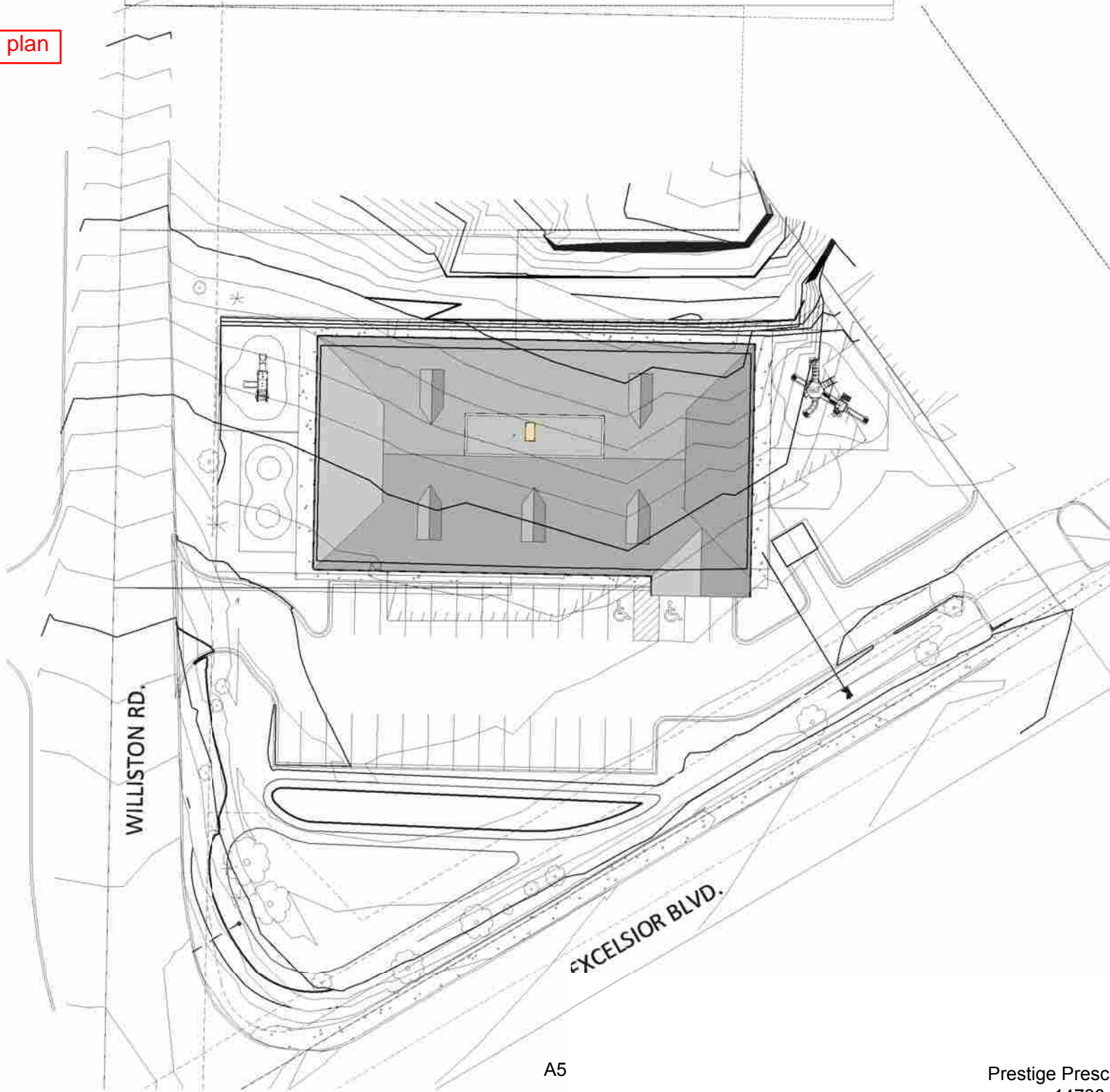
Adjacent building



NORTH



Proposed site plan





NORTH ELEVATION

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



EAST ELEVATION

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



WEST ELEVATION

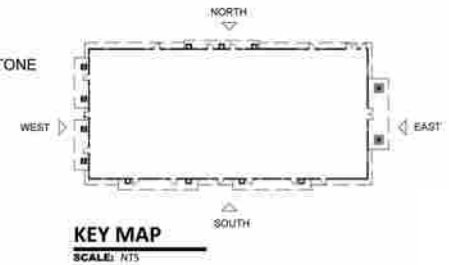
SCALE: 1/8" = 1'-0"



SOUTH ELEVATION

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

- | | | | | | | | |
|---|-------------------------------------------------------------------------------------------------------------------------------------------------------|---|--------------------------------------------------------------------------------------------------------------------------------------------------------|---|-------------------------------------------------------------------------------------------------------------------------------------------------------|---|-------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 |  HARDIE BOARD OR EIFS
SHERWIN WILLIAMS
SW 6079 DIVERSE BEIGE | 3 |  DOORS
SHERWIN WILLIAMS
SW 7606 BLUE CRUISE | 5 |  WAINSCOT
QUIK BRIK BY OLD CASTLE
SANDALWOOD BLEND | 7 |  CORONADO STONE
MINNESOTA FIELDSTONE
CARMEL MOUNTAIN |
| 2 |  PAINTED TRIM
SHERWIN WILLIAMS
SW 7551 GREEK VILLA | 4 |  DORMER AND WINDOW
SHUTTERS
SHERWIN WILLIAMS
SW 6244 NAVAL | 6 |  OWENS CORNING SHINGLES:
TRU DEFINITION DURATION
QUARRY GRAY | | |



PRESTIGE PRESCHOOLS- APPLE VALLEY, MN
NEC PILOT KNOB ROAD AND 160TH STREET
APPLE VALLEY, MN
DATE: 05-08-14 (PRELIMINARY)

A3.0

RKAA# 14064.00

W. P. & S. P. & S. P.
ARCHITECTS, LLC
14730 EXCELSIOR BLVD
SUITE 100
APPLE VALLEY, MN 55002
TEL: 612.833.1111
WWW.RKAA.COM



Floor plans



Color Floor Plan
SVP+TC

10,350 GSF

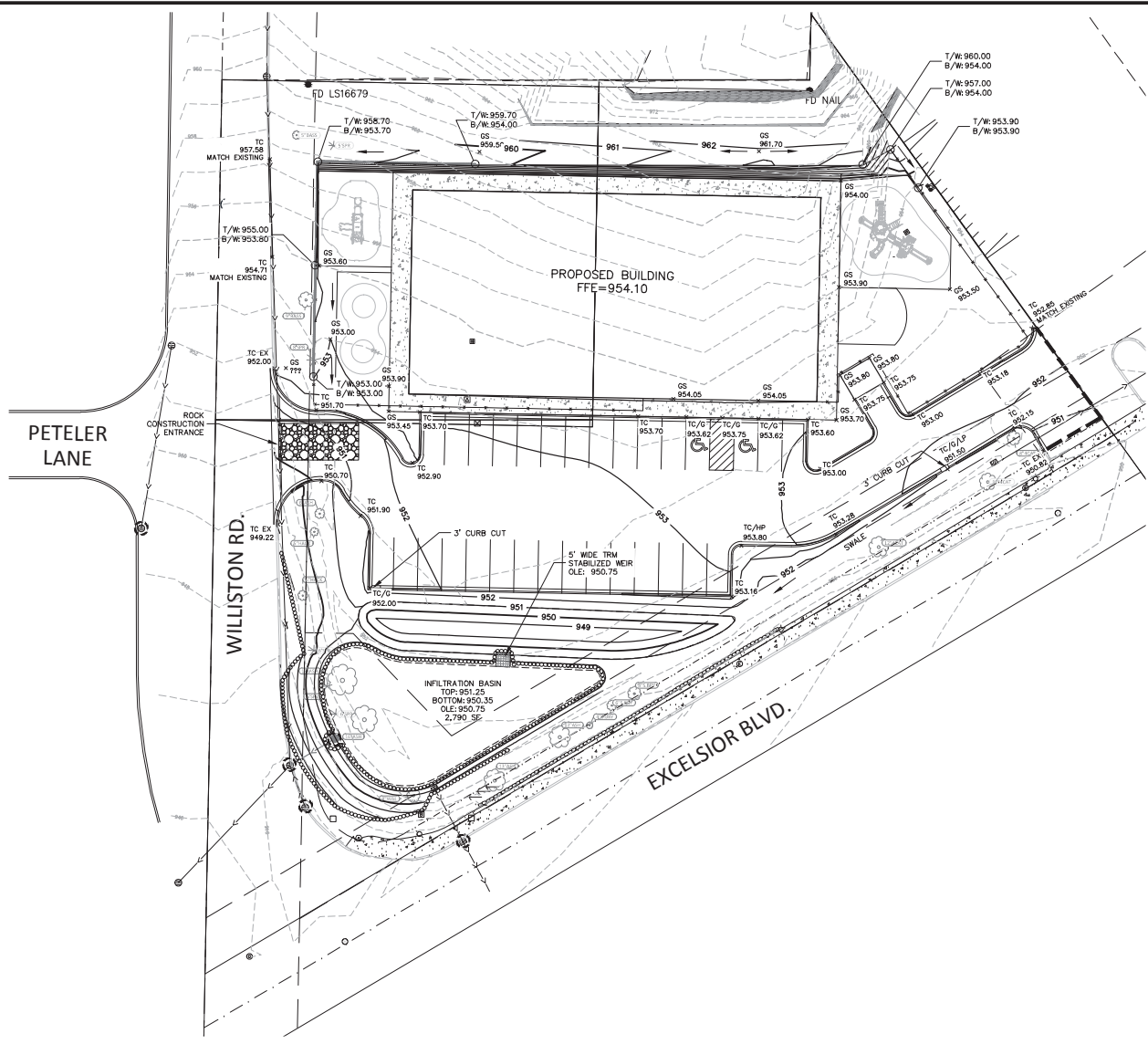


Prestige Preschool - Minnetonka - Floor Plan
Minnetonka, MN

2/25/16

CUNINGHAM GROUP

23192-G.dwg - 2/25/2016 12:55PM



- LEGEND**
- EXISTING ASPHALT SURFACE
 - EXISTING CONCRETE SURFACE
 - PROPOSED ASPHALT SURFACE
 - PROPOSED CONCRETE SURFACE
 - EXISTING CURB
 - EXISTING CONTOURS
 - PROPOSED CONTOURS
 - PROPOSED CURB
 - PROPOSED RETAINING WALL
 - PROPOSED TEMPORARY ROCK CONSTRUCTION ENTRANCE
 - PROPOSED SILT FENCE
 - PROPOSED WMCO-POST CONSTRUCTION

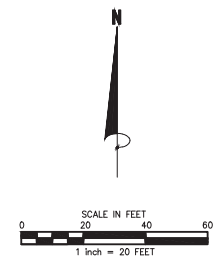
James R. Hill, Inc.
 PLANNERS / ENGINEERS / SURVEYORS
 2500 W. Ctr. Rd. 42, Suite 120, Burnsville, MN 55337
 PHONE: (952)990-6044 FAX: (952)990-6244

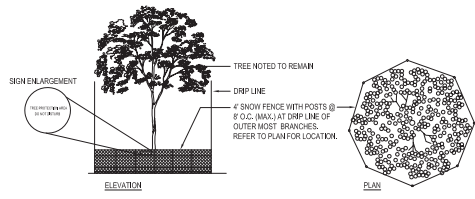
PRELIMINARY
 This drawing is preliminary and is not to be used for construction. It is subject to change without notice. The user of this drawing assumes all liability for any errors or omissions. The user of this drawing also assumes all liability for any damages, including consequential damages, arising from the use of this drawing. Date: 02/24/2016 12:55 PM

PRESTIGE SCHOOL
 MINNETONKA, MINNESOTA
PRELIMINARY GRADING & DRAINAGE PLAN
SHINGOBEE BUILDERS
 689 NORTH MEDINA STREET, LORETTO, MN 55557

DRAWN BY
 EPF
 DATE
 02/24/16
 REVISIONS

 CAD FILE
 23192-G
 PROJECT NO.
 23192
 3.0





Tree Inventory:

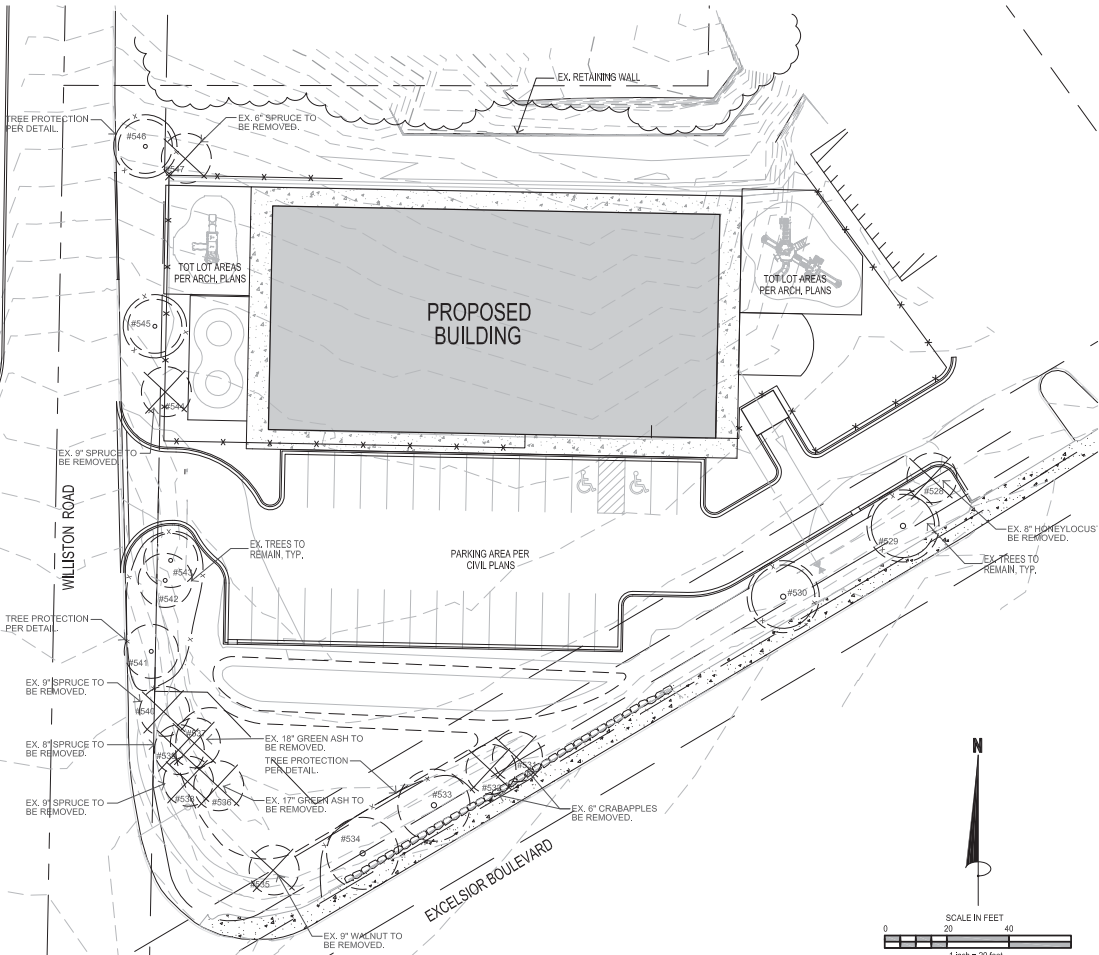
Total Trees Tagged: 20
 Significant Trees Existing: 13
 High Priority Trees Existing: 01
 Significant Trees To Be Removed: 08
 Non-Significant Trees To Be Removed: 03
 High Priority Trees To Be Removed: 0

Penalty: (2) Trees per (1) Significant Tree Removed
 Replacement Trees Required: 16

See Sheet L2 for Proposed Tree Locations

TREE PRESERVATION & REMOVAL NOTES:

- Existing boundary, location, topographic, and utility information shown on this plan is from a field survey by MFRA Surveying. The contractor is to field verify existing conditions to their satisfaction.
- Do not begin tree clearing work until tree protection measures are in place and to the approval of the City of Minnetonka and the civil engineer.
 - Critical Root Zone:**
Install high density polyethylene safety fence, 4 ft. high, international orange, at the Dip Line or at The Critical Root Zone whichever is greater. of trees to be preserved per detail, prior to commencement of earthwork activity. Field-staking of the fence location(s) subject to City of Minnetonka Forestry approval.
 - Where silt fence and proposed tree protection fence overlap, place the tree protection fence on the outside of the silt fence, double-staked at the break-point.
 - Refer to Tree Protection Detail 1/L1 for root zone and drip-line protection.
 - The contractor shall prune the canopy of existing trees to remain where the canopy is in jeopardy of damage due to the new Improvements shown. It is recommended that the contractor hire a certified arborist to perform the pruning. Any branches broken during construction shall be immediately trimmed and wounds painted to prevent further damage.
 - Perform work in accordance with the laws, ordinances, rules, regulations, and orders of public authority having jurisdiction. Secure and pay for permits, governmental fees and licenses necessary for the proper execution of the demolition work.
 - Prior to the start of construction, contact the City of Minnetonka Forester at (952) 988-8421. Obtain permits as required by law.
 - Provide protective coverings and enclosures as necessary to prevent damage to existing work that is to remain. Existing work to remain may include items such as trees, shrubs, lawns, sidewalks, drives, curbs, utilities, buildings and/or other structures on or adjacent to the demolition site. Provide temporary fences and barricades as required for the safe and proper execution of the work and the protection of persons and property.
 - Remove debris, waste, and rubbish promptly from the site. On-site burial of debris is not permitted. Burn no debris on the site. Salvage material not otherwise indicated to be reused shall become the Contractor's property and is to be removed promptly from the site and disposed of in strict accordance with all applicable laws, regulations, and/or statutes.
 - Buildings, features, surfaces, and other descriptive references shown on this drawing are for informational purposes only. Field verify all information relevant to the project prior to proceeding with the work. Visit the site and determine all site conditions and hazards.
 - This plan is a guide as to the anticipated amount of disturbance expected due to proposed improvements. The contractor is expected to take all necessary precautions to ensure trees noted to remain are not damaged during construction. Do not store material or drive within the drip line of existing trees to remain. Be aware of overhead branches for clearance of material and equipment.
 - This plan is not a guarantee that existing trees will survive during/post construction, but rather a guide to help assure their protection and greatest chances of survival at the surface level. Further protection measures outside this scope could involve ecologists, foresters and arborists.
 - Notify the Owner's Representative and Engineer when tree protection fencing is taken down to perform work in conjunction with the new improvements noted in this plan set. The contractor is responsible for re-erecting the tree protection fence immediately after the work is complete, when ever possible
 - Trees shown as existing to remain (be preserved) that are damaged / killed as a result of construction activities are subject to replacement per the City of Minnetonka's Tree Replacement penalty. Replacement trees are to be paid for at no additional expense to the Owner.
 - Tree Trimming: Trim branches of existing trees to remain with branches overhanging the work zone to a height of no less than 15' above grade. General contractor shall hire a state certified arborist to trim trees and shall not trim *Quercus sp.* during prime oak wilt season, per city code. Do not disturb Oaks between April-July.



FIELD TREE INVENTORY LOG

TAG NO.	TREE DIA. (IN)	SPECIES	TREE CATEGORY	CONDITION	REMOVE?	NOTES
529	11	Honeylocust	Significant	Good	No	
530	15	Honeylocust	High Priority	Good	No	
531	6	Crabapple	None	Fair	Yes	
532	6	Crabapple	None	Good	Yes	
533	17	Green Ash	Significant	Good	No	
534	13	Green Ash	Significant	Good	No	
535	9	Black Walnut	Significant	Good	Yes	
536	17	Green Ash	Significant	Good	Yes	
537	18	Green Ash	Significant	Good	Yes	
538	9	Colorado Blue Spruce	Significant	Fair	Yes	
539	8	Colorado Blue Spruce	Significant	Good	Yes	
540	9	Colorado Blue Spruce	Significant	Fair	Yes	
541	6	Hackberry	None	Good	No	
542	8	Hackberry	None	Good	No	
543	21	Green Ash	Significant	Good	No	
544	9	Black Hills Spruce	Significant	Good	Yes	
545	10	American Linden	Significant	Good	No	
546	8	American Linden	None	Fair	No	
547	6	Black Hills Spruce	None	Fair	Yes	
210	19					TOTAL INCHES INVENTORIED
						TOTAL EXISTING TREES INVENTORIED

NOTES, DETAILS, AND SCHEDULES:

CALYX DESIGN GROUP
 Landscape Architecture-Sustainable Design-Planning
 370 Sally Ave. | Suite 303 | Saint Paul, MN 55102
 telephone: 651.785.3018
 internet: www.calyxdesigngroup.com

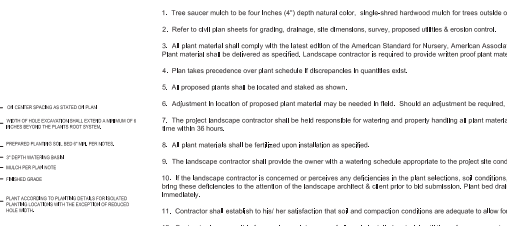
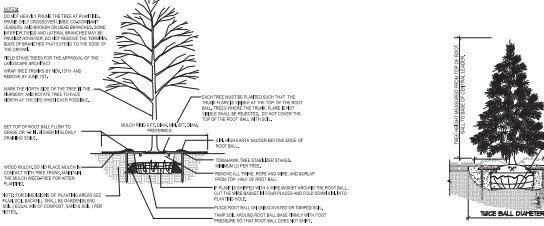
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PRESTIGE SCHOOL
 MINNETONKA, MINNESOTA
 PRELIMINARY TREE PRESERVATION PLAN
 SHINGOBEE BUILDERS

608 WACONIA STREET | LORETTO, MN 56307

DRAWN BY
 BH
 DATE
 2/24/16
 REVISIONS

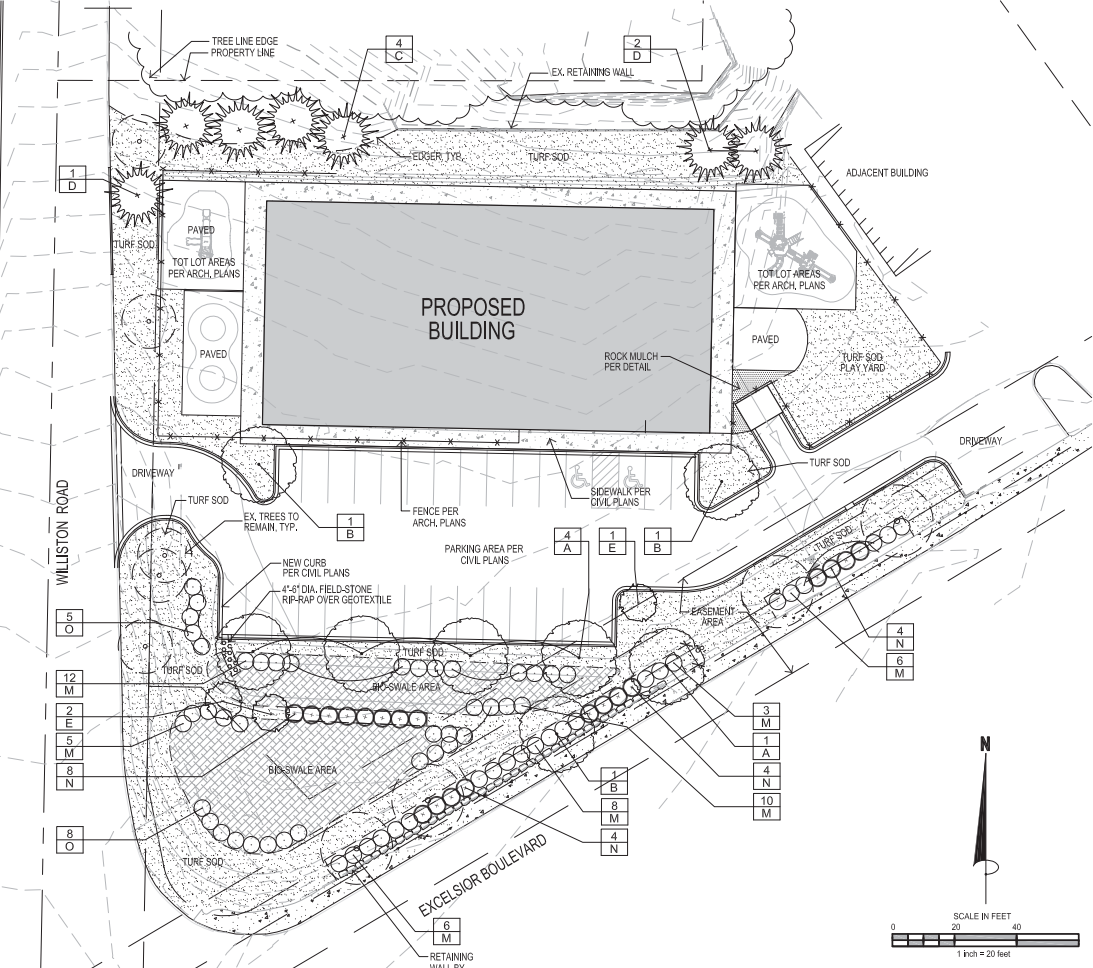
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 PROJECT NO.
 15123
 L1



1 DECIDUOUS TREE PLANTING - SECTION
NOT TO SCALE

2 CONIFEROUS TREE PLANTING - SECTION
NOT TO SCALE

3 TYP. SHRUB PLANTING - SECTION
NOT TO SCALE



PRELIMINARY LANDSCAPE PLAN

Landscaping Notes:

- 1. Tree saucer must be four inches (4") depth natural color, single-stem hardwood mulch for trees outside of a plant bed. Install per tree planting detail. Dyed mulch is not acceptable.
- 2. Refer to civil plans sheets for grading, drainage, site dimensions, survey, proposed utilities & erosion control.
- 3. All plant material shall comply with the latest edition of the American Standard for Nursery, American Association of Nurserymen. Unless noted otherwise, deciduous shrubs shall have at least 5 canes at the specified shrub height. Plant material shall be delivered as specified. Landscape contractor is required to provide written proof plant materials supplied to the job site are free of noninvasive.
- 4. Plant takes precedence over plant schedule if discrepancies in quantities exist.
- 5. All proposed plants shall be located and staked as shown.
- 6. Adjustment in location of proposed plant material may be needed in field. Should an adjustment be required, the client will provide final review and approval.
- 7. The project landscape contractor shall be held responsible for watering and properly handling all plant materials brought on the site both before and after installation. Schedule plant deliveries to coincide with expected installation time with 30 days.
- 8. All plant materials shall be installed upon installation as specified.
- 9. The landscape contractor shall provide the owner with a watering schedule appropriate to the project site conditions and to plant material growth requirements.
- 10. If the landscape contractor is concerned or provides any deficiencies in the plant selection, soil conditions, drainage or any other site condition that might negatively affect plant establishment, survival or guarantee, they must bring these deficiencies to the attention of the landscape architect & client prior to full installation. Plant bed drainage concerns during full installation shall be brought to the attention of the Owner and General Contractor immediately.
- 11. Contractor shall establish to fail her selection that soil and compaction conditions are adequate to allow for proper drainage at and around the building site.
- 12. Contractor is responsible for ongoing maintenance of all newly installed material until the owner acceptance. Any acts of vandalism or damage which may occur prior to owner acceptance shall be the responsibility of the contractor. Contractor shall provide the owner with a maintenance program including, but not limited to, pruning, mulching and disease/pest control.
- 13. The contractor shall guarantee newly planted material through one calendar year from the date of written owner acceptance. Plants that exhibit more than 10% dieback damage shall be replaced at no additional cost to the contractor. The contractor shall also provide adequate tree wrap and deermatant protection measures for the plantings during the warranty period.
- 14. This layout plan constitutes our understanding of the landscape requirements listed in the ordinance. Changes and modifications may be requested by the city based on applicant information, public input, council decisions, etc.
- 15. The landscape contractor shall be responsible for obtaining any permits and coordinating inspections as required throughout the work process.
- 16. Plant site & species substitutions must be approved in writing prior to acceptance in the field.
- 17. The landscape contractor shall furnish an Irrigation Layout Plan for landscape coverage of all trees, turf and shrub planting areas. Use common irrigation equipment and provide product cut sheets and (3) copies of the proposed layout plan to the architect for review and approval. Coordinate irrigation connection with the architect. Irrigation system shall be tested such that turf in the play yard is controlled on a separate zone. Drop irrigation is allowed only in perennial beds. All Valve boxes and In-ground valves shall have locking lids.
- 18. Edger shall be professional grade black steel edger, 1/8" thick, 12' straight lengths. Anchor every 18' on-center (minimum). Submittal sample.
- 19. Landscape Contractor is responsible for coordination with the General Contractor, to protect the new improvements on and offsite during landscape work activities. Report any damage to the General Contractor immediately.
- 20. Unless otherwise noted/cited, plant beds shall receive 4" depth single-stem hardwood mulch over fabric weed mat, per detail. Submittal must include for Owner approval. Do not install weed mat under perennials, with the exception of ornamental grasses.
- 21. Rip-rap stone to be locally available, 4"-6" diameter river-stones over a geotextile fabric. Hand-place and ensure stability on the site slope.
- 22. All planting, seeding, and sodded areas shall be prepared prior to installation activities with a heavy power rake or equal to provide a firm planting bed free of stones, sticks, construction debris, etc.
- 23. Turf installation activity shall conform to all rules and regulations as established in the MnDOT Seeding Manual, 2014 edition, for turf bed preparation, installation, maintenance, and warranty.
- 24. The Landscape Contractor shall furnish samples of all landscape materials for approval prior to installation.
- 25. The Landscape Contractor shall clear and grub the underbrush from within the work limits to remove dead branches, leaves, trash, weeds and foreign materials. Remove trees where noted on the plan, including the stump to 30" below grade.
- 26. The landscape contractor shall contact Gopher State One Call no less than 48 hours before digging for utility locations.
- 27. The landscape contractor shall be responsible for the removal of erosion control measures once vegetation has been established to the satisfaction of the municipal staff. This includes all silt curtain fencing and sediment logs placed in the landscape.
- 28. The landscape contractor shall be responsible for staking the site to become familiar with the conditions prior to bidding and installation. Coordinate with the general contractors on matters such as fine grading, landscaped area conditions, staging areas, irrigation connection to building, etc.
- 29. See Site and Civil plans for additional information regarding the project including the 60' grade in the Bi-Swale areas noted.
- 30. All sub-cut areas of the site that are designated on the site plan as open space for landscape shall have no less than 10' of imported, pulverized topsoil. Slope away from building.
- 31. Landscape contractor must ensure the open sub-grade of all planting areas after their excavation is capable of providing a minimum requirement of 1/4 inch of water per hour prior to installation of plant material, typical irrigation weep mat, and mulch. Planting areas not capable of meeting this requirement shall have 4" diameter 4x8" depth holes augured every 30' on-center and filled with MnDOT Free-Draining Course (FRC) Aggregate. Re-test sub-grade periodically for compliance to infiltration minimum requirement.
- 32. Fencing if needed per Architect's Plans and Specifications.

TREES:

Qty:	Key	Scientific Name	Common Name	Size	Root	Notes
5	A	Quercus bicolor	Swamp White Oak	2.5' Cal.	B&B	Spring Dig
3	B	Acer x freemanii 'Sierva'	Sierva Glen Maple	2.5' Cal.	B&B	
4	C	Ilex glauca var. densata	Black Hills Spice	6' Hgt.	B&B	Full Form
3	D	Pinus sylvestris	Scotch Pine	6' Hgt.	B&B	Full Form
3	E	Ampelanchier x grandiflora 'Autumn Brilliance'	Serrisaberry	12' Hgt.	B&B	Clump

Planting Palette:

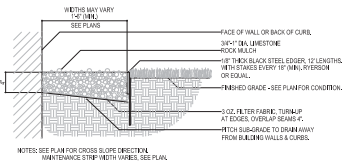
Qty:	Key	Scientific Name	Common Name	Size	Root	Notes
20	M	Viburnum trilobum 'Bailey Compact'	Compact Cranberrybush	#5/30' Hgt.	POT	
20	N	Juniperus chinensis 'Sea Green'	Sea Green Juniper	#15/30' Spr.	POT	
13	O	Cornus alba 'Reginae'	Red Queen Dogwood	#5/30' Hgt.	POT	

SHRUBS:

Native Seeding Notes:

TYPE 1: MnDOT 33-262 for Dry Swale / Pond Areas
Install at 20 lbs per Acre

Planting Area	Common Name	Scientific Name	Plant Height	Plant Spacing	Plant Density	Planting Date	
Type 1	Blueberry	Vaccinium corymbosum	12'	4' x 4'	22.5 plants/sq ft	4/15/16	
	Blackberry	Rubus fruticosus	12'	4' x 4'	22.5 plants/sq ft	4/15/16	
	Strawberry	Fragaria virginiana	12'	4' x 4'	22.5 plants/sq ft	4/15/16	
	Cornus	Cornus amomum	12'	4' x 4'	22.5 plants/sq ft	4/15/16	
	Juniper	Juniperus horizontalis	12'	4' x 4'	22.5 plants/sq ft	4/15/16	
	Shrub	Sp. 1		12'	4' x 4'	22.5 plants/sq ft	4/15/16
	Shrub	Sp. 2		12'	4' x 4'	22.5 plants/sq ft	4/15/16
	Shrub	Sp. 3		12'	4' x 4'	22.5 plants/sq ft	4/15/16
	Shrub	Sp. 4		12'	4' x 4'	22.5 plants/sq ft	4/15/16
	Shrub	Sp. 5		12'	4' x 4'	22.5 plants/sq ft	4/15/16
Shrub	Sp. 6		12'	4' x 4'	22.5 plants/sq ft	4/15/16	



5 ROCK MULCH INSTALLATION DETAIL
NOT TO SCALE

NOTES, DETAILS, AND SCHEDULES:

PRESTIGE SCHOOL
MINNETONKA, MINNESOTA
PRELIMINARY LANDSCAPE PLAN
SHINGOBEE BUILDERS
608 SOUTH MEDINA STREET, LORESTO, IA 56267

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BH
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2/24/16
REVISIONS

NO.	DESCRIPTION

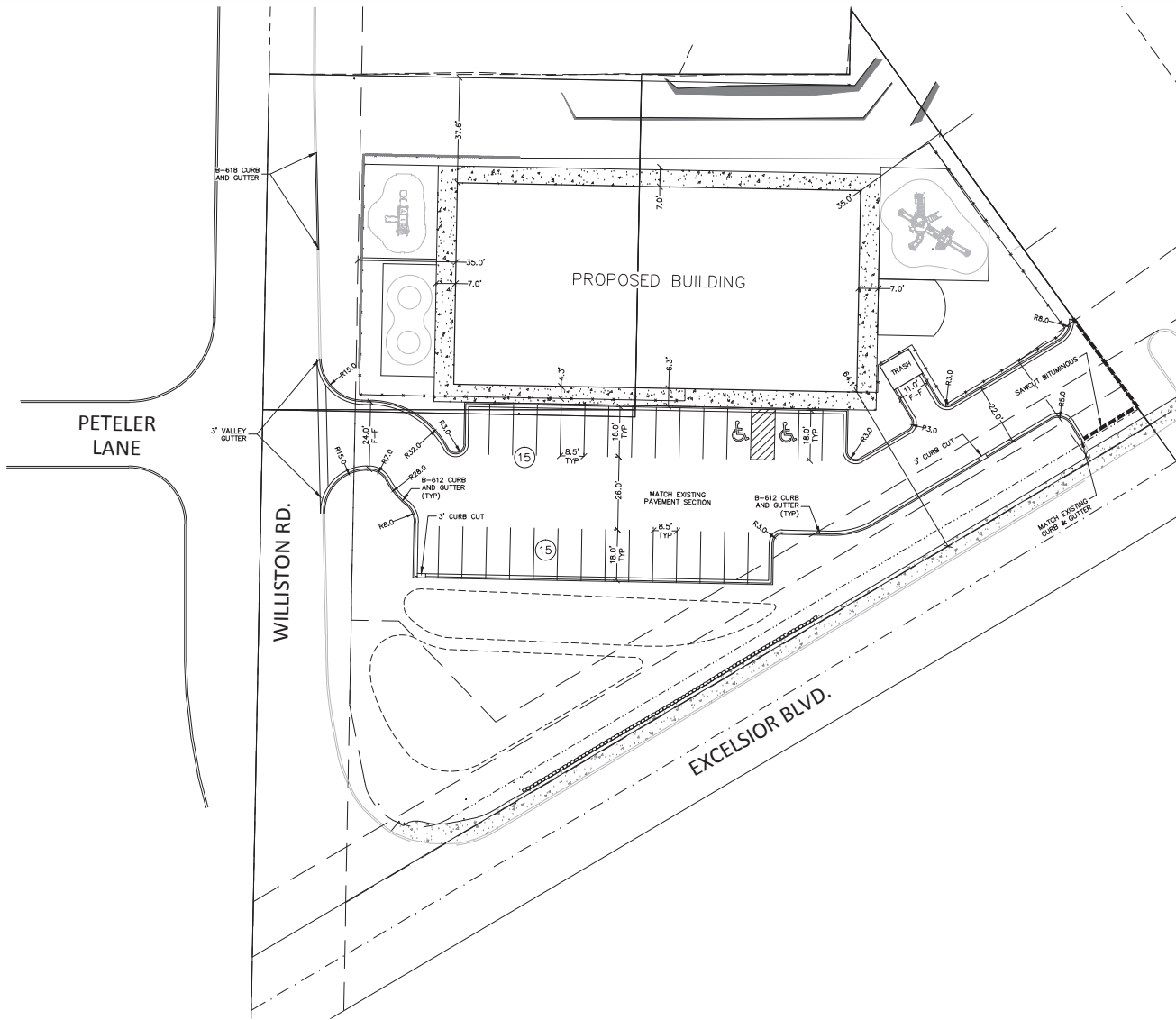
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15123
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CALYX DESIGN GROUP
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Internet: www.calyxdesigngroup.com

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GOPHER STATE ONE CALL
 CALL 48 HOURS BEFORE YOU DIG!
 TWIN CITY AREA 651-454-0022
 MN. TOLL FREE 1-800-252-1166



- LEGEND**
- EXISTING ASPHALT SURFACE
 - EXISTING CONCRETE SURFACE
 - PROPOSED ASPHALT SURFACE
 - PROPOSED CONCRETE SURFACE
 - EXISTING CURB
 - PROPOSED CURB

SITE DATA

GROSS SITE AREA	64,162 SF (1.47 AC)
EXISTING IMPERVIOUS COVERAGE	41,014 SF (0.94 AC)
PROPOSED IMPERVIOUS COVERAGE	26,786 SF (0.61 AC)
DISTURBED AREA	14,955 SF (0.34 AC)

PARKING DATA

BUILDING FLOOR AREA	12,790 sf
TOTAL PARKING STALLS PROVIDED	30 STALLS
HANDICAP PARKING STALLS PROVIDED	1 STALLS
REGULAR PARKING STALLS PROVIDED	29 STALLS

James R. Hill, Inc.
 PLANNERS / ENGINEERS / SURVEYORS
 2500 W. CH. RD. 42, SUITE 120, BURNVILLE, MN 55337
 PHONE: (952)990-6044 FAX: (952)990-6244

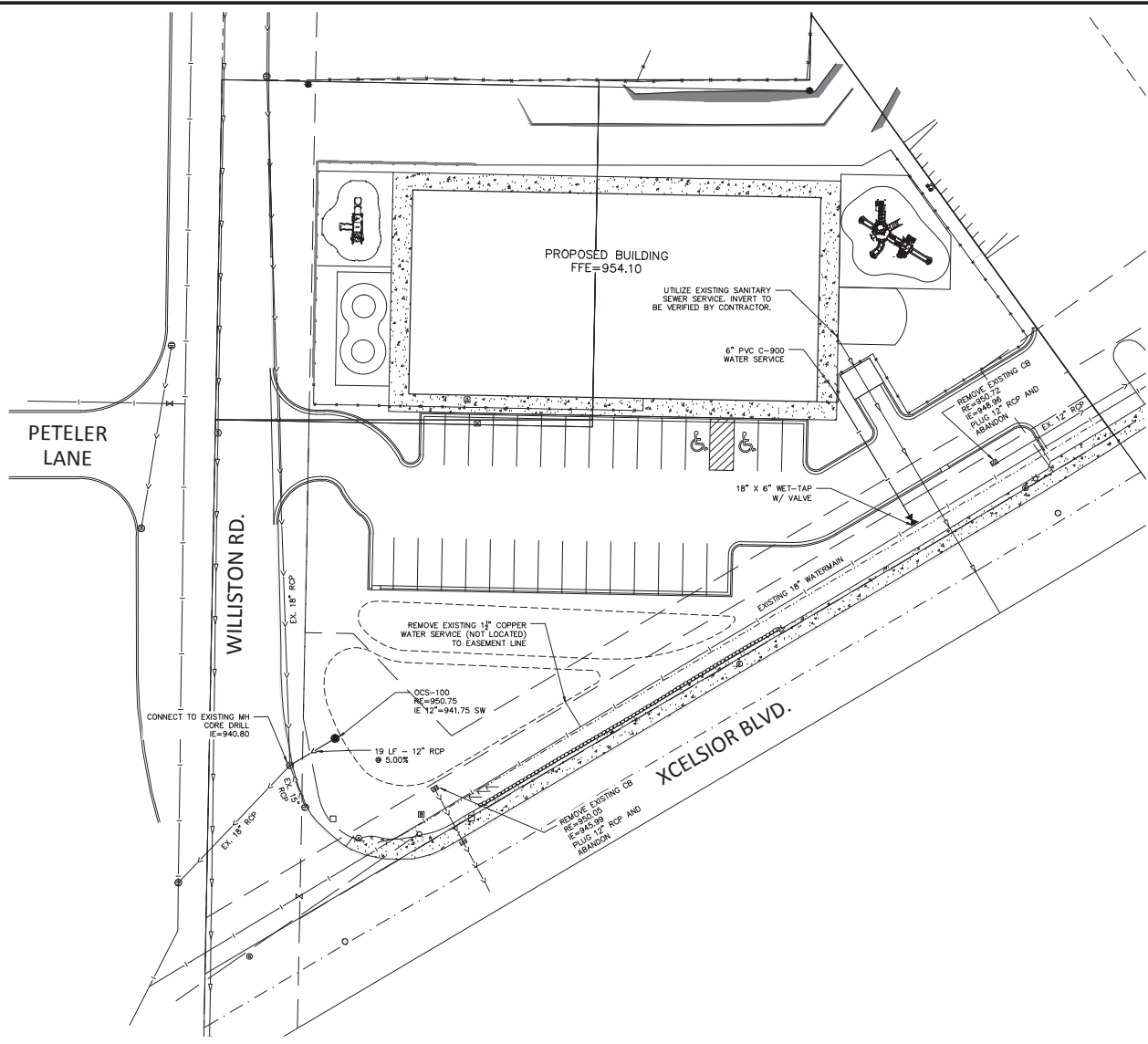
STATE OF MINNESOTA
 DEPARTMENT OF TRANSPORTATION
 DIVISION OF HIGHWAYS
 PROJECT NO. 23192
 DATE: 02/24/16

PRESTIGE SCHOOL
 MINNETONKA, MINNESOTA
PRELIM. PAVING & DIMENSION PLAN
 FOR
SHINGOBEE BUILDERS
 680 NORTH MEDINA STREET, LORETTO, MN 55557

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 EPF
 DATE
 02/24/16
 REVISIONS

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LEGEND

	EXISTING ASPHALT SURFACE
	EXISTING CONCRETE SURFACE
	PROPOSED ASPHALT SURFACE
	PROPOSED CONCRETE SURFACE
	EXISTING CURB
	EXISTING WATERMAIN
	EXISTING SANITARY SEWER
	EXISTING STORM SEWER
	PROPOSED WATERMAIN
	PROPOSED SANITARY SEWER
	PROPOSED STORM SEWER

N

SCALE IN FEET
0 20 40 60
1 inch = 20 FEET

James R. Hill, Inc.
PLANNERS / ENGINEERS / SURVEYORS
2500 W. Cty. Rd. 42, Suite 120, Burnsville, MN 55337
PHONE: (952)990-6044 FAX: (952)990-6244

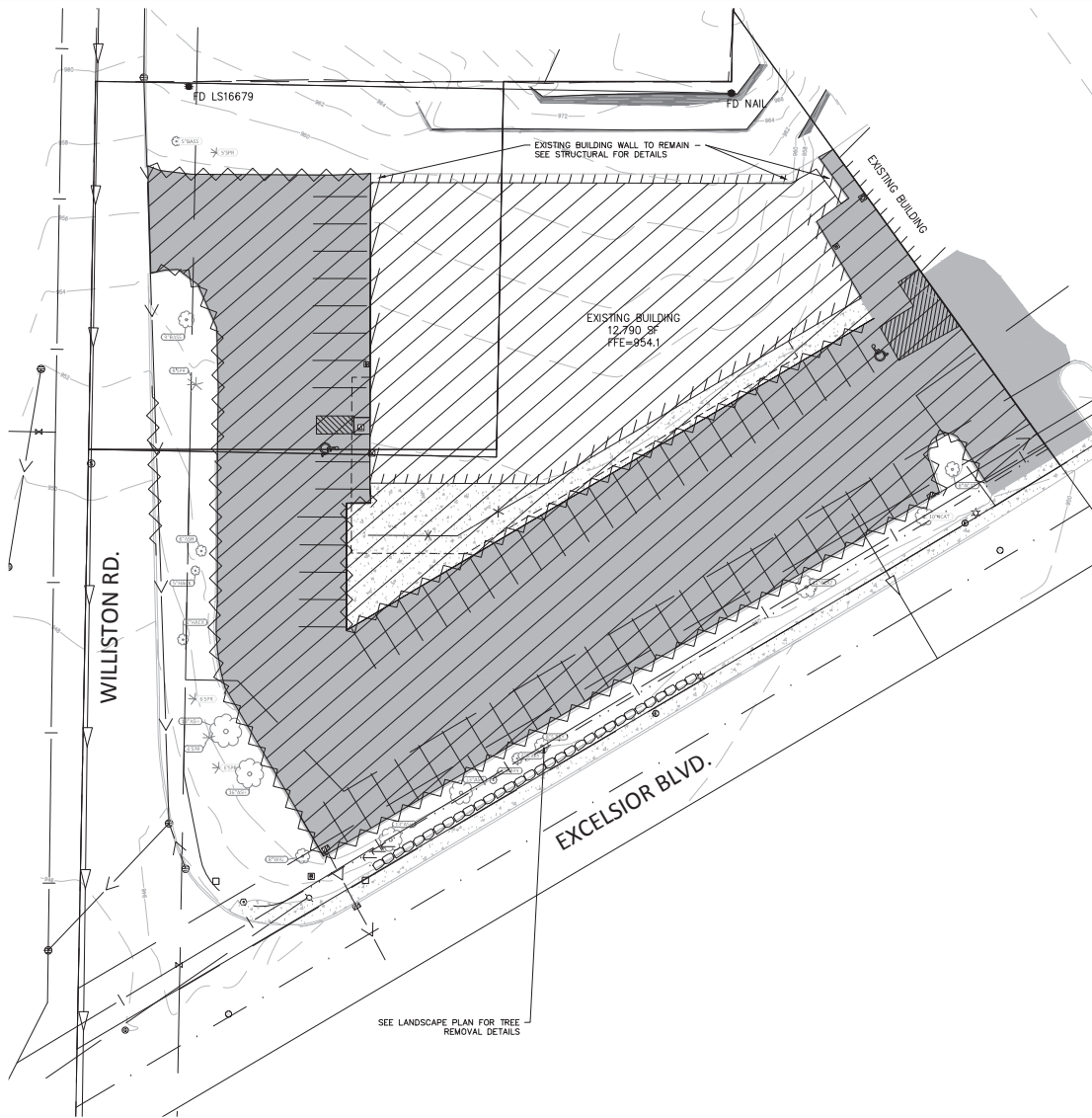
I am the author of this plan, and I certify that the information on which this plan is based is true and correct to the best of my knowledge and belief, and that I am a duly Licensed Professional Engineer in the State of Minnesota.
PRELIMINARY
 Date: 02/24/2016 Reg. No. 1005

PRESTIGE SCHOOL
 MINNETONKA, MINNESOTA
PRELIMINARY UTILITY PLAN
SHINGOBEER BUILDERS
 689 NORTH MEDINA STREET, LORETTO, MN 55357










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LEGEND

-  EXISTING ASPHALT SURFACE
-  EXISTING CONCRETE SURFACE
-  EXISTING CURB
-  EXISTING WATERMAIN
-  EXISTING SANITARY SEWER
-  EXISTING STORM SEWER
-  EXISTING CONTOURS
-  REMOVE EXISTING FEATURE
-  REMOVE EXISTING FEATURE

James R. Hill, Inc.
 PLANNERS / ENGINEERS / SURVEYORS
 2500 W. CH. RD. 42, SUITE 120, BURNVILLE, MN 55337
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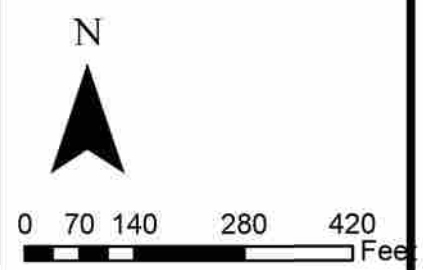


MINNESOTA PROFESSIONAL ENGINEER
 LICENSE NO. 14428
 EXPIRES 12/31/15
 DATE OF ISSUE: 02/24/2015 Reg. No. 10000

PRESTIGE SCHOOL
 MINNETONKA, MINNESOTA
DEMOLITION PLAN
SHINGOBEY BUILDERS
 689 NORTH MEDINA STREET, LORETTO, MN 55557

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Surrounding properties

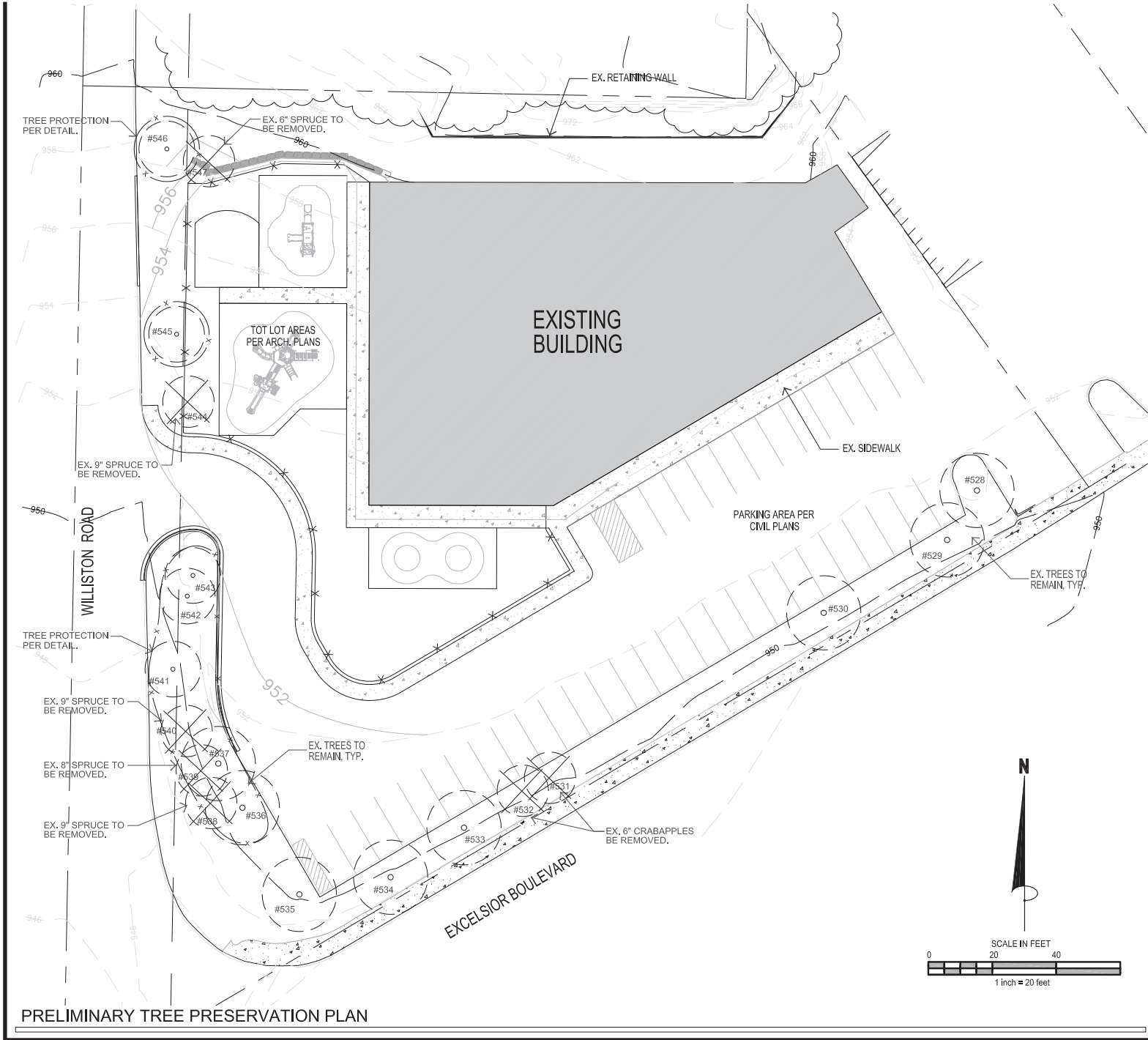
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Prestige Preschool Academy

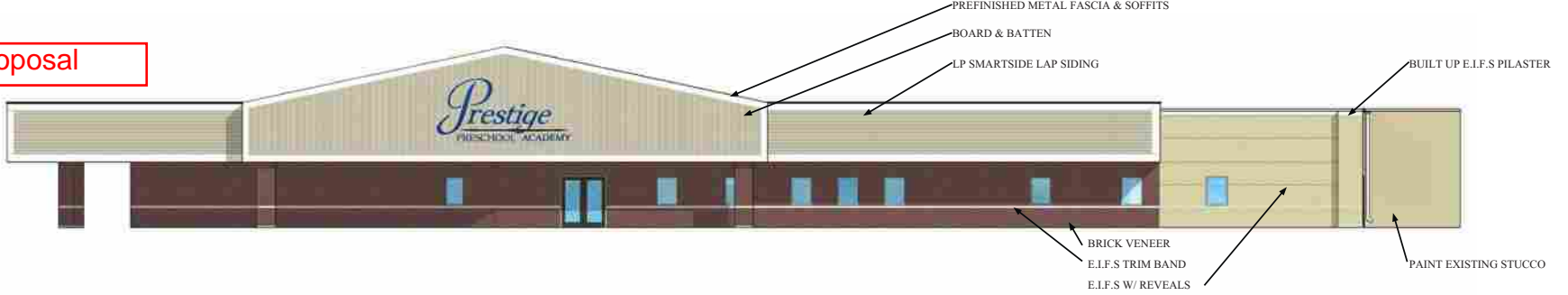
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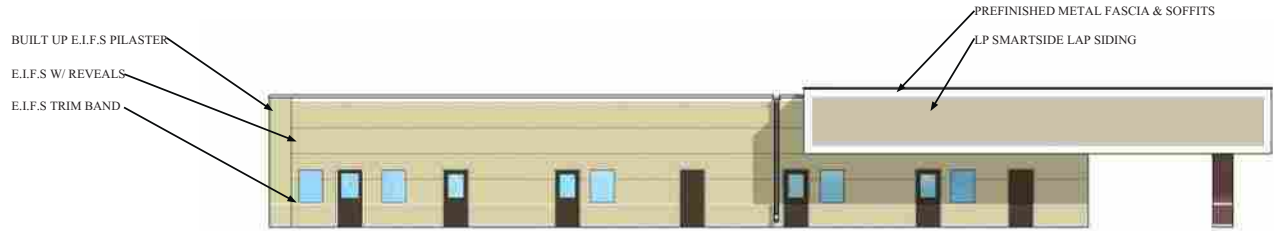
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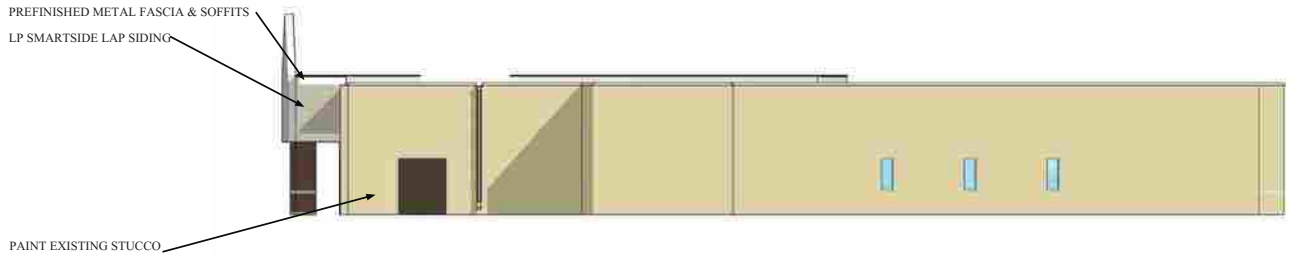
2015 Proposal



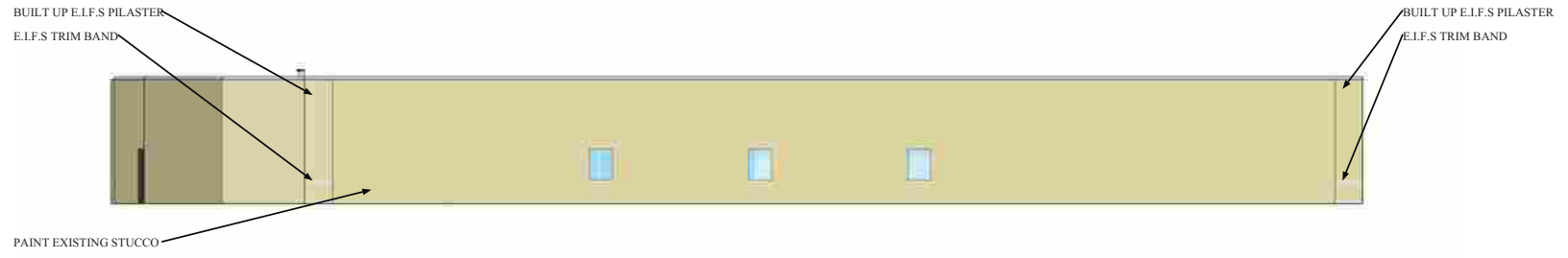
Southeast



West



Northeast



North

Resolution No. 2015-082

Resolution approving a conditional use permit and final site and building plans for a licensed daycare facility at 14730 Excelsior Boulevard

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

Section 1. Background.

- 1.01 Lake West Development Co. LLC, on behalf of Prestige Preschool Academy, has requested a conditional use permit to operate a licensed daycare facility within the existing building at 14730 Excelsior Boulevard.
- 1.02 The property is legally described on EXHIBIT A of this resolution.
- 1.03 On August 27, 2015, the planning commission held a hearing on the proposal. The applicant was provided the opportunity to present information to the commission. The commission considered all of the comments received and the staff report, which are incorporated by reference into this resolution. The commission recommended that the city council approve the conditional use permit.

Section 2. Conditional Use Permit Standards.

- 2.01 City Code §300.21 Subd. 2 lists the following general conditional use permit standards:
1. The use is consistent with the intent of the ordinance;
 2. The use is consistent with the goals, policies and objectives of the comprehensive plan;
 3. The use does not have an undue adverse impact on governmental facilities, utilities, services or existing or proposed improvements;
 4. The use is consistent with the city's water resources management

plan;

5. The use is in compliance with the performance standards specified in §300.28 of the ordinance; and
6. The use does not have an undue adverse impact on the public health, safety or welfare.

2.02 City Code §300.21 Subd. 3(j) lists the following specific conditional use permit standards for licensed daycare facilities:

1. Shall have loading and drop-off points designed to avoid interfering with traffic and pedestrian movements;
2. Outdoor play areas shall be located and designed in a manner which mitigates visual and noise impacts on adjoining residential areas;
3. One parking space for each six children based on the licensed capacity of the center; and
4. Shall obtain all applicable state, county and city licenses.

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

1. Consistency with the elements and objectives of the city's development guides, including the comprehensive plan and water resources management plan;
2. Consistency with the ordinance;
3. Preservation of the site in its natural state to the extent practicable by minimizing tree and soil removal and designing grade changes to be in keeping with the general appearance of neighboring developed or developing areas;
4. Creation of a harmonious relationship of buildings and open spaces with natural site features and with existing and future buildings having a visual relationship to the development;
5. Creation of a functional and harmonious design for structures and site features, with special attention to the following:
 - 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.
6. Promotion of energy conservation through design, location, orientation and elevation of structures, the use and location of glass in structures and the use of landscape materials and site grading; and
7. Protection of adjacent and neighboring properties through reasonable provision for surface water drainage, sound and sight buffers, preservation of views, light and air and those aspects of design not adequately covered by other regulations which may have substantial effects on neighboring land uses.

Section 4. Findings.

- 4.01 The proposed daycare facility would meet the general conditional use permit standards as outlined in City Code §300.21 Subd. 2.
- 4.02 The proposed daycare facility would meet the specific conditional use permit standards as outlined in City Code §300.21 Subd. 3(j).
- 1. The proposed facility would primarily serve young “preschool” age children. Parents/guardians would drop-off and pick-up children by parking their vehicle and walking into the facility. No outdoor drop-off or pick-up area is proposed and, as such, would not interfere with the vehicular or pedestrian circulation.
 - 2. The proposed play area would be appropriately located on the site. A new fence and landscaping would buffer the area from existing

residential area across Williston Road and the potential, new residential area adjacent to the north.

3. The proposed parking lot would include 40 parking stalls, accommodating 240 students under the ordinance's 1 stall per 6 child ratio.
4. As a condition of this resolution, all applicable state, county and city licenses must be obtained and submitted to the city prior to issuance of a certificate of occupancy.

4.03 The proposed daycare facility would be consistent with the site and building plan standards as outlined in City Code §300.27

1. Members of the city's community development, engineering, fire, and public works staff have reviewed the proposal and find that it is generally consistent with the city's development guides.
2. The proposal would meet ordinance standards.
3. The subject property is fully developed, with no area in a "natural state." The proposal would actually increase the amount of green space on the site.
4. The proposal would significantly improve the overall site and building appearance and, therefore, that of the intersection.
5. The proposal would visually increase open/green space through removal of parking areas.
6. The proposal would not hinder vehicular and pedestrian circulation. Rather, occupancy of a long vacant site may reduce "cut thru" traffic and provision of a sidewalk connection would improve pedestrian access from the north to the surrounding commercial area to the south and east.
7. The proposal would require improvements to the building's HVAC equipment, thereby improving energy efficiency.
8. The proposal would allow for: (1) continued use of a site that has long been used for commercial purposes; and (2) reuse of vacant building. It would not negatively impact adjacent properties or the neighboring area.

Section 5. Council Action.

5.01 The above-described conditional use permit and final site and building plans are approved, subject to the following conditions:

1. Subject to staff approval, the property must be developed and maintained in substantial conformance with the following plans:
 - Preliminary grading and drainage plan, dated 07/24/15
 - Preliminary landscape plan, dated 07/24/15
 - Revised elevation plan, received 08/14/15
2. Prior to issuance of a building permit:
 - a) Submit the following items for staff review and approval:
 - 1) A final materials and color palate board.
 - 2) A revised site plan that illustrates:
 - a. The new Williston Road entrance in relation to the intersection of Peteler Lane and Williston Road.
 - b. A sidewalk connection from the Excelsior Boulevard/Williston Road intersection to the north property line
 - 3) A revised grading and drainage plan that includes a catch basin rather than curb cut at the southwest corner of the parking lot.
 - 4) A revised landscaping plan. The plan must include no new tree plantings within the right-of-way or within the existing watermain easement. Natural grasses or other smaller plantings should be considered. The plan must also outline the cost of proposed plant materials.
 - 5) A site diagram that includes turning templates. This diagram must specifically illustrate that the turning movements can be made from northbound Williston Road into the site while cars are queued to leave the site.

- b) Confirm whether existing utility connections are being altered or new utility connections are proposed. If either, a plan reflecting the alterations or new connections must be submitted for staff review and approval.
- c) This resolution must be recorded with Hennepin County.
- 3. Prior to a certificate of occupancy, all applicable state, county and city licenses must be obtained and copies submitted to the city.
- 4. Maximum capacity is limited to 240 students/children.
- 5. The city council may reasonably add or revise conditions to address any future unforeseen problems.
- 6. Any change to the approved use that results in a significant increase in traffic or a significant change in character may require city council review and a revised conditional use permit.

Adopted by the City Council of the City of Minnetonka, Minnesota, on September 14, 2015.

Terry Schneider, Mayor

Attest:

David E. Maeda, City Clerk

Action on this resolution:

Motion for adoption: Allendorf
 Seconded by: Bergstedt
 Voted in favor of: Wiersum, Bergstedt, Wagner, Ellingson, Allendorf, Acomb, Schneider
 Voted against:
 Abstained:
 Absent:
 Resolution adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Minnetonka, Minnesota, at a meeting held on September 14, 2015.

David E. Maeda, City Clerk

EXHIBIT A

LEGAL DESCRIPTION

Beginning at a point in the West line of the Northeast Quarter of Northeast Quarter, Section 33, Township 117, Range 22 distant 531.5 feet South of the Northwest corner of said Northeast Quarter of Northeast Quarter; thence Easterly at right angles 133 feet; thence South at right angles 120 feet; thence West at right angles 133 feet to a point in the West line of said Northeast Quarter of Northeast Quarter, 120 feet South of the point of beginning; thence North to the point of beginning, Hennepin County, Minnesota.

Abstract Property.

Tract G, Registered Land Survey No. 1187, Hennepin County, Minnesota.

Torrens Property

Torrens Certificate No. 455028.

14. Other Business:**A. Items concerning a licensed daycare facility at 14730 Excelsior Boulevard:**

- 1) A conditional use permit; and**
- 2) Final site and building plans**

Thomas gave the staff report.

Jon Fletcher from Lake West Development said they were currently in discussions with Prestige Child Care Centers, an upscale child care provider based in California. The proposed plan was for a complete redevelopment of the building. There were some constraints to what could be done with the exterior of the building based on the economics. The licensing would allow for up to 240 students. There would be 40 parking stalls. The child care provider was estimating in the range of 180 to 200 students. There would be up to 16 to 18 employees spread out throughout the day. He said this proposal would work well with the proposal for the site to the north discussed earlier in the meeting.

Allendorf asked for more information about the outdoor play area. Fletcher said there would be a tetherball area along with two playgrounds, one for tots and the other for older kids. On the south side of the building there would be an infinity loop for kids to ride their tricycles. The idea was to allow one of the twelve classrooms out at any one time. Allendorf asked what type of fencing there would be. Fletcher said the fence would be a see through metal fence with some screening to meet city requirements. Allendorf said he had heard concerns from residents about having the play area next to Williston Road. He asked how tall the fence would be. Fletcher said it would be five feet high. Schneider noted there was a similar playground next to the industrial park on Baker Road.

Bergstedt said the council had seen a number of proposals for the site. Residents have had many ideas with what to do for site but the council only could deal with what comes before them. He said the proposal was an improved use that addresses a number of things. The whole area was fairly complicated as far as traffic patterns and parking. He was glad to see the stipulation that if parking issues arise, the city would have the ability to limit the number of students. He asked if there were any staff safety concerns with cars turning off Excelsior Boulevard on to Williston Road with the new access location further to the south. Thomas said there were not concerns but staff still had questions. As a condition for approval there was a requirement that a drawing be submitted showing the larger area along with some turning templates to help understand how much area was needed to make the turn safely into and out of the site.

Wiersum said the building was a big building and he agreed the proposed use was appropriate although it might not be the use the council would choose if it was picking uses. He said the design held true to the hardware store roots and it would be more desirable to make the building look more like a school. He thought there could be greater creativity with the design.

Schneider said when he first heard about the proposal he questioned if the site was appropriate for a daycare center. The more he thought about it he realized the city needed something to attract younger families with younger kids. The use was adequate although it may not be the ideal solution. He agreed that the applicant could be more creative with the design. Another thing to consider was although there would be a new roof and a new facelift for the building, the investment was not so major that 10 to 20 years from now the area could not still be redeveloped as the city would like to see done. It may postpone redevelopment but it was not a deal breaker for a major future redevelopment of the area. He said having young families with kids coming in may help the grocery store.

Allendorf said of all the recent developments in the Glen Lake area, this proposal generated the most phone calls to him and they all were positive.

Allendorf moved, Bergstedt seconded a motion to adopt resolution 2015-082 approving the conditional use permit and plans.

Bergstedt said all the businesses in the area, in addition to the grocery store, may benefit with young families coming in. The Glen Lake area needed a shot in the arm and the proposal would go a long ways to provide that. The council had heard comments about all the senior housing in the area. He thought the senior housing was appropriate and good but it also felt good to have something for the opposite demographic.

Barone asked Wischnack if she thought the language in the resolution was adequate to address the council's comments on the building exterior. Wischnack said she thought it was as long as the council was comfortable having staff making the decision. Schneider said the council's comments were to encourage the developer to look at a slightly revised concept to make the building look more charming. Staff would work with the developer to find a better look. Wischnack suggested strengthening the language in the resolution to provide more power for staff to help find a better look for the building. Schneider said he wanted to give staff some discretion to encourage the developer to find a better building look.

Fletcher said he agreed with staff on the condition to work on the color palette. He noted within the ordinance architectural detail design was not a

condition of use. He wanted to be careful not to put an unenforceable or unnecessary condition on the project. He cited the parking as an example. Either the parking was sufficient under the existing code or it was not. Schneider said he was encouraging a cooperative arrangement where Fletcher would work with staff to look at design alternatives to make the building look more charming and residential but not have staff dictate the final design. Fletcher said that was something he could commit to.

Bergstedt asked if approved, when the child care center might open. Fletcher said ideally child care centers like to line up with school years so the center would open mid to late summer in 2016 or possibly in December 2016 depending on the construction and redevelopment timeline.

Wiersum asked if the roof shape design was part of Prestige's look and was the way it looked at other locations. Fletcher said it was. Wiersum questioned why Prestige wanted to look like a home improvement store rather than more like a school but said if it was the corporate approach it was what it was. Fletcher said typically Prestige does ground up developments where there is a scraped site with a pitched roof. The economics for this site don't allow for a demolition. Schneider said to get something a little more attractive within a reasonable budget would benefit Prestige as well. Fletcher said there was every desire to make it something the market wanted from an economic standpoint.

Allendorf encouraged Fletcher to talk to whoever was currently managing the site to see if the current site could be improved immediately. He didn't want to wait until next year before something was done to the existing property to make it look palatable to the neighbors. Fletcher said he would pass that on to the owner.

Schneider said as he was looking at the grade issue of item 12A he noticed a small split between the two lots that likely was owned by the dance studio. He asked staff to make sure that was looked at. Fletcher said there was a lot gap between parcel A and B on the Williston Woods application. There was a legal process to close the gap.

All voted "yes." Motion carried.

Current Proposal

Resolution No. 2016-

Resolution approving a conditional use permit and final site and building plans, with a front yard setback variance, for a licensed day care facility at 14730 Excelsior Boulevard

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

Section 1. Background.

- 1.01 Shingobee Builders, on behalf of Prestige Preschool Academy, is proposing to operate a licensed day care facility within a newly constructed building at 14730 Excelsior Boulevard. (Project No. 14003.16a)
- 1.02 The property is legally described on Exhibit A of this resolution.
- 1.03 The proposal requires a conditional use permit and final site and building plan review. The proposal also requires a front yard setback variance from the west property line from 50 feet to 35 feet.
- 1.04 On April 16, 2016, the planning commission held a hearing on the proposal. The applicant was provided the opportunity to present information to the commission. The commission considered all of the comments received and the staff report, which are incorporated by reference into this resolution. The commission recommended that the city council approve the permit.

Section 2. Standards.

- 2.01 City Code §300.21 Subd. 2 lists the following general conditional use permit standards:
 - 1. The use is consistent with the intent of the ordinance;
 - 2. The use is consistent with the goals, policies and objectives of the comprehensive plan;

3. The use does not have an undue adverse impact on governmental facilities, utilities, services or existing or proposed improvements;
4. The use is consistent with the city's water resources management plan;
5. The use is in compliance with the performance standards specified in §300.28 of the ordinance; and
6. The use does not have an undue adverse impact on the public health, safety or welfare.

2.02 City Code §300.21 Subd. 3(j) lists the following specific conditional use permit standards for licensed day care facilities:

1. Shall have loading and drop-off points designed to avoid interfering with traffic and pedestrian movements;
2. Outdoor play areas shall be located and designed in a manner which mitigates visual and noise impacts on adjoining residential areas;
3. One parking space for each six children based on the licensed capacity of the center; and
4. Shall obtain all applicable state, county and city licenses.

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

1. Consistency with the elements and objectives of the city's development guides, including the comprehensive plan and water resources management plan;
2. Consistency with the ordinance;
3. Preservation of the site in its natural state to the extent practicable by minimizing tree and soil removal and designing grade changes to be in keeping with the general appearance of neighboring developed or developing areas;
4. Creation of a harmonious relationship of buildings and open spaces with natural site features and with existing and future buildings having a visual relationship to the development;

5. Creation of a functional and harmonious design for structures and site features, with special attention to the following:
 - 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.
6. Promotion of energy conservation through design, location, orientation and elevation of structures, the use and location of glass in structures and the use of landscape materials and site grading; and
7. Protection of adjacent and neighboring properties through reasonable provision for surface water drainage, sound and sight buffers, preservation of views, light and air and those aspects of design not adequately covered by other regulations which may have substantial effects on neighboring land uses.

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

Section 3. Findings.

- 3.01 The proposal meets the general conditional use permit standards outlined in City Code §300.16 Subd.2.
- 3.02 The proposal meet all of the specific conditional use permit standards outlined in City Code 300.21 Subd. 3(j) for licensed day care facilities.
1. The proposed facility would serve young children. Parents/guardians would park their vehicle and then walk their children into the facility. While entry features are proposed for architectural interest, there would be no outdoor drop-off or pick-up area proposed. As such, the onsite movements would not be interfered.
 2. Play areas are proposed on the east and west side of the proposed building. A newly constructed fence and landscaping would provide a buffer to the residential properties to the north.
 3. The licensed capacity of the day care center would be for 178 children. As proposed, the newly constructed parking lot would have 30 parking stalls, which is the minimum required by ordinance.
 4. A condition of approval has been included requiring that the applicant obtain all applicable state, county and city licensing.
- 3.03 The proposed day care facility would be consistent with the site and building plan standards as outlined in City Code §300.27
1. Members of the city's community development, engineering, fire and public works staff have reviewed the proposal and find that is generally consistent with the city's development guides.
 2. But for the requested setback variance, the proposal would meet ordinance standards.
 3. While the proposal would disturb a significant amount of the property, the proposal would result in a 20 percent reduction in the amount of impervious surface on the site. This would effectively increase the amount of green space on the property.
 4. The proposal would result in an increase of landscaping and green space on the site. Further, in addition to stormwater management a proposed bioswale in the southwest corner of the site would add visual interest to the property.

5. The proposal would increase the amount of green space on the property. Further, the proposal would revitalize the property. The proposal would not hinder vehicular and pedestrian circulation. In fact, the redesigned parking lot would likely reduce the amount of “cut through” traffic of the site and a sidewalk extension would improve pedestrian access in the area.
6. The proposal would reduce the amount of impervious surface on the property and introduce “greener” landscaping and stormwater management techniques to the area.
7. The proposal would not negatively impact the surrounding properties, In fact, the proposal would result in a more appropriate setback between the existing building and the building to the east.

3.04 The proposal meets the variance standard outlined in City Code §300.07 Subd. 1(a):

1. **PURPOSE AND INTENT OF THE ZONING ORDINANCE:** The intent of front yard setback requirements is to ensure an appropriate separation between roadways and adjacent buildings. The proposed building would maintain a similar front yard setback to other properties along Williston Road. Further, the variance request would “center” the building on the property and increase the amount of separation between the proposed building and the existing building to the east.
2. **CONSISTENT WITH COMPREHENSIVE PLAN:** The Glen Lake area is one of the city’s three community village centers. The area has undergone numerous redevelopment efforts since it was established as an early commercial center. These redevelopment efforts have created a more attractive, interesting and pedestrian-friendly area. The proposal would provide additional pedestrian connections and a more inviting pedestrian experience at the Excelsior Boulevard/Williston Road intersection. Further, the proposal would introduce another type of use complimentary to existing commercial uses of this area.
3. **PRACTICAL DIFFICULTIES:** There are practical difficulties in complying with the ordinance:
 - a. **REASONABLENESS and UNIQUE CIRCUMSTANCE:** The variance request is reasonable and is the result of a circumstance unique to the property:

1. The unique lot configuration and corner lot setbacks are not common to all similarly zoned properties.
 2. The variance request would allow for the proposed building to be centered on the property. Further, the variance would allow for a more appropriate separation between the proposed building and the building to the east. Currently, the existing building and building to the east have a separation of only five feet.
 3. The redevelopment of the site would increase the amount of green space on the property.
- b. CHARACTER OF LOCATILTY: The variance would not alter the character of the existing neighborhood. As proposed, the setback from the west property line adjacent to Williston Road would be 35 feet. By city code all properties in this area, including residential properties along Williston Road, are required to maintain a 50-foot setback from Williston Road right-of-way. Half of the properties within 1,000 feet along Williston Road have a front yard setback of 35 feet or less. Further, the city council recently approved a 35-foot front yard setback for Williston Woods West, a five lot subdivision, immediately adjacent to the subject property. While these other properties are residential, the proposed building would generally align with existing and approved setbacks in the area.

Section 4. City Council Action.

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

1. Subject to staff approval, the property must be developed and maintained in substantial conformance with the following plans, unless modified below:
 - Site plan dated February 25, 2016
 - Floor plans dated February 25, 2016
 - Preliminary grading and drainage dated February 24, 2016
 - Preliminary tree preservation plan dated February 24, 2016
 - Preliminary landscape plan dated February 24, 2016
 - Preliminary paving plan dated February 24, 2016
 - Preliminary utility plan dated February 24, 2016

2. Prior to issuance of a building permit:
 - a) This resolution must be recorded with Hennepin County.
 - b) Submit the following items for staff review and approval:
 - 1) Final materials and color palate board.
 - 2) A revised site plan that illustrates:
 - a. The location of all right of way, utility and access easements.
 - b. The paving of the area within the Ingress and Egress Easement per Document No. 1513783.
 - c. The relocation of the east play area fencing out of the Ingress and Egress Easement per Document No. 1513783.
 - d. A sidewalk connection from the Excelsior Boulevard/Williston Road intersection to the north property line. The sidewalk must be a minimum of 6-feet wide. Transitions to the Williston Road driveway and entrance across the driveway must meet ADA requirements with the exception of truncated domes.
 - e. Increased drive lane widths. The lane width must be a minimum of 26 feet.
 - 3) A revised grading plan. This plan must include spot elevations and existing contours to clearly illustrate how the proposed swale will tie into the existing berm.
 - 4) A revised utility plan. This plan must:
 - a. Remove the 1-1/2 inch water service back to the main. Further, the corporation stop must be turned off.
 - b. Add a private hydrant along the new 6-inch water service to the building. The hydrant

- spacing along Excelsior Boulevard currently exceeds the 500-foot maximum spacing allowed by code.
- c. The catch basin, shown to be removed, and the pipe, shown to be abandoned, in the southwest corner of the site must be removed to the adjacent catch basin structure on Excelsior Boulevard. The structure must be plugged and replaced. This will likely require the removal and replacement of a portion of the existing sidewalk.
 - d. The applicant must work with staff to determine if the 12-inch pipe, under the existing Excelsior Boulevard entrance, should be removed entirely or abandoned as shown.
- 5) A revised landscaping plan. This plan must:
- a. Remove new plantings from within the right of way or water easement. All new deciduous tree species must be located at least 15-feet from the street. All new evergreen trees must be located at least 20-feet from the street.
 - b. Not include landscaping that would interfere with the use or maintenance of adjacent public sidewalks and trails.
 - c. Provide sufficient mitigation for trees removed from the site. Staff at its sole discretion can reduce the amount of required mitigation based on space limitations of the site.
 - d. Include, or possibly substitute, additional shrub species onsite.
 - e. Meet the minimum landscape requirements per city ordinance.
- 6) A stormwater management plan. This plan must include rate, volume, and water quality requirements based on the amount of impervious surface proposed.

- 7) A site diagram that includes turning templates. This plan must specifically illustrate safe turning radiuses for delivery trucks and safety vehicles.
 - 8) A construction management plan. This plan must be in a city approved format and must outline minimum site management practices and penalties for non-compliance.
 - 9) Install erosion control fencing as required by staff for inspection and approval. These items must be maintained throughout the course of construction.
3. Prior to issuance of a certificate of occupancy, submit the following:
 - a) Copies of all applicable state, county and city licenses.
 - b) Utility as-builts following utility construction.
 4. Fences exceeding 7-feet in height require a building permit.
 5. The building must comply with all requirements of the Minnesota state building code, fire code, and health code.
 6. Maximum capacity of the facility is 178 students/children.
 7. The city council may reasonably add or revise conditions to address any future unforeseen problems.
 8. Any change to the approved use that results in a significant increase in traffic or a significant change in character would require a revised conditional use permit.

Adopted by the City Council of the City of Minnetonka, Minnesota, on April 25, 2016.

Terry Schneider, Mayor

Attest:

David E. Maeda, City Clerk

Action on this resolution:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

Absent:

Resolution adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Minnetonka, Minnesota, at a meeting held on April 25, 2016.

David E. Maeda, City Clerk

Exhibit A

LEGAL DESCRIPTION

Beginning at a point in the West line of the Northeast Quarter of Northeast Quarter, Section 33, Township 117, Range 22 distant 531.5 feet South of the Northwest corner of said Northeast Quarter of Northeast Quarter; thence Easterly at right angles 133 feet; thence South at right angles 120 feet; thence West at right angles 133 feet to a point in the West line of said Northeast Quarter of Northeast Quarter, 120 feet South of the point of beginning; thence North to the point of beginning, Hennepin County, Minnesota.

Abstract Property.

Tract G, Registered Land Survey No. 1187, Hennepin County, Minnesota.

Torrens Property

Torrens Certificate No. 455028.