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## Planning Commission Agenda

January 5, 2017—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: December 15, 2016
5. Report from Staff
6. Report from Planning Commission Members
7. Public Hearings: Consent Agenda
  - A. Front yard and wetland setback variances for dormer additions at 2600 Crosby Road.  
  
Recommendation: Adopt the resolution approving the variances (5 votes)
    - Recommendation to City Council (Tentative Date: January 9, 2017)
    - Project Planner: Ashley Cauley
8. Public Hearings: Non-Consent Agenda Items
  - A. Preliminary and final plat for TONY'S ADDITION, 9597 Sandra Lane.  
  
Recommendation: Recommend the council approve the request (4 votes)
    - Recommendation to City Council (Tentative Date: January 23, 2017)
    - Project Planner: Drew Ingvalson

- B. Preliminary plat and final plats for a five lot subdivision at 5325 County Road 101, 5311 Tracy Lynn Terrace, and 5320 Spring Lane.

Recommendation: Recommend the council approve the request (4 votes)

- Recommendation to City Council (Tentative Date: January 23, 2017)
- Project Planner: Susan Thomas

## **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 January 19, 2017 Planning Commission meeting:

Project Description: A property owner has submitted a preliminary plat application to subdivide the properties at 4316 and 4328 Wilson Street into three single-family residential lots.

Project No.: 16035.16a

Staff: Ashley Cauley

Ward/Council Member: 3—Brad Wiersum

Section: 21

Project Description: The applicant is proposing to divide the property at 3900 Cottage Lane into two, single-family lots. The proposal requires approval of both preliminary and final plats.

Project No.: 16037.16a

Staff: Susan Thomas

Ward/Council Member: 1—Bob Ellingson

Section: 23

Project Description: The applicant is requesting an amendment to the existing Minnetonka Corporate Center sign plan at 6000 Clearwater Dr. The amendment would allow for installation of two wall signs, each including a logo of 5 feet in height. The current sign plan allows for one wall sign and a maximum 3-foot logo.

Project No.: 95010.16a

Staff: Susan Thomas

Ward/Council Member: 1—Bob Ellingson

Section: 34

Project Description: The applicant is proposing to convert the existing three season porch into a full living space for the property at 3649 Woody Lane. The home addition would require a variance.

Project No.: 16038.16a

Staff: Drew Ingvalson

Ward/Council Member: 1—Bob Ellingson

Section: 14

Project Description: The applicant is proposing to add a second story addition to the property at 3153 Lake Shore Blvd.

Project No.: 97042.16a

Staff: Drew Ingvalson

Ward/Council Member: 3—Brad Wiersum

Section: 17

Project Description: The applicant is proposing to convert the screen porch into full living space at 5952 Woodland Circle.

Project No.: 96062.16a

Ward/Council Member: 4—Tim Bergstedt

Staff: Ashley Cauley

Section: 32

Project Description: The applicant is requesting setback variances and an expansion permit (side yard, aggregate side yard, and shoreland) to construct two additions on a single family home at 17008 Grays Bay Blvd.

Project No.: 16031.16a

Ward/Council Member: 3—Brad Wiersum

Staff: Drew Ingvalson

Section: 17

Project Description: The City of Minnetonka is proposing to construct a storage building on the Public Works property at 11522 Minnetonka Boulevard. The proposal requires approval of: (1) a conditional use permit; and (2) site and building plan review.

Project No.: 01056.16a

Ward/Council Member: 2—Tony Wagner

Staff: Loren Gordon

Section: 14

## 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**

**December 15, 2016**

**1. Call to Order**

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

**2. Roll Call**

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

Staff members present: Community Development Director Julie Wischnack, City Planner Loren Gordon, Assistant City Planner Susan Thomas, Senior Planner Ashley Cauley, Planner Drew Ingvalson, Water Resources Technician Tom Dietrich, and Natural Resource Manager Jo Colleran.

**3. Approval of Agenda**

***Odland moved, second by Calvert, to approve the agenda as submitted with a modification provided in the change memo dated December 15, 2016.***

***O'Connell, Odland, Powers, Calvert, and Kirk voted yes. Knight was absent. Motion carried.***

**4. Approval of Minutes: December 1, 2016**

***Odland moved, second by Calvert, to approve the December 1, 2016 meeting minutes as submitted.***

***O'Connell, Odland, Powers, Calvert, and Kirk voted yes. Knight was absent. Motion carried.***

**5. Report from Staff**

Gordon briefed the commission on land use applications considered by the city council at its meeting of December 5, 2016:

- Adopted a resolution approving a 12-month extension of the approvals for Bauer's Custom Hitches.
- Introduced the ordinance amendment for Crest Ridge.

- The concept plan for 1911 Linner Road and 1935 Linner Road for Zender Homes was pulled from the agenda by the applicant.

The next planning commission meeting is scheduled for January 5, 2017.

## 6. Report from Planning Commission Members

Chair Kirk noted that his father-in-law is moving into Applewood Pointe. It is interesting to see a project from concept plan to full completion. Wischnack added that 40 percent of Applewood Pointe residents moved from homes in Minnetonka.

## 7. Public Hearings: Consent Agenda

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

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

### **A. Preliminary and final plat for RiZe at Opus Park at 10101 Bren Road East.**

Recommend that the city council adopt the resolution granting preliminary and final plat approvals to RiZe at Opus at 10101 Bren Road East.

### **B. Variance to allow construction of an attached garage addition at 14831 Wellington Road.**

Adopt the resolution approving an aggregate side yard setback variance for an attached garage addition at 14831 Wellington Road.

***O'Connell, Odland, Powers, Calvert, and Kirk voted yes. Knight was absent. Motion carried. Motion carried and the items on the consent agenda were approved as submitted.***

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

## 8. Public Hearings

### **A. A conditional use permit with parking variance for River Valley Church at 10801 Red Circle Drive.**



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

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

Powers asked Ingvalson if ITE determined that there would be enough parking to accommodate the main worship area and youth area at full capacity. Ingvalson explained that the youth area capacity was not included in the calculation since the children do not drive separately from adults. ITE found that the site would have significantly more parking than would be needed during the site's highest parking demand times.

Anthony Richards, pastor of River Valley Church, applicant, thanked commissioners for considering the application and staff for their hard work. The building would provide central administration services for eight campuses around the twin cities. His congregation currently meets at a temporary location in a warehouse. The youth areas are for newborns to 5<sup>th</sup> grade. The children meet in those areas during regular service times. There is a weekend each year that is dedicated to serving the city where the church is located. The goal is to be part of the community.

O'Connell asked if there would be late-night services or activities. Pastor Richards answered that there would be a Christmas Eve candle-light service at 10 p.m., but, usually, the latest service would be at 6 p.m. There are youth events on Wednesday nights that finish at 8:30 p.m.

Chair Kirk noted that there is no housing near the site.

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

***Odland moved, second by O'Connell, to recommend that the city council adopt the resolution approving a conditional use permit with parking variance for River Valley Church at 10801 Red Circle Drive.***

***O'Connell, Odland, Powers, Calvert, and Kirk voted yes. Knight was absent. Motion carried.***

**B. Preliminary plat with variances for Woodlands at Linner at 1555 Linner Road.**

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.

Odland asked for the location of the driveway for Lot 2. Cauley responded that it is anticipated that it would travel north from the house and access the cul-de-sac.

In response to O'Connell's question, Cauley explained that today's zoning ordinance allows for a smaller lot width at right-of-way for cul-de-sacs of 65 feet. The cul-de-sac could remain a temporary cul-de-sac forever. The temporary status relates to the platting process, not with the construction of the cul-de-sac. Temporary road easements are in place. At the time of the original plat, it was anticipated that it would be changed into a through street. It makes no difference to maintenance or property rights if the cul-de-sac is temporary or permanent.

Tom Bakritges, of Homestead Partners and JMS Custom Homes, stated that the applicant's attorney and engineer were also available to answer questions. Staff has done a nice job explaining the history of the site. He pointed out where the driveway for Lot 2 would be located on the cul-de-sac. This is one of the last parcels off of Linner Road. One of the benefits of the proposal would be connecting the water main loop. The quality of stormwater runoff has been an issue for the area. The storm sewer provided by the proposal would improve the water quality. The project would minimize tree impact. He described the options considered. This would be the best solution that would benefit the entire neighborhood.

The public hearing was opened.

Jason Heaser, 1553 Linner Road, stated that:

- He was unable to attend the neighborhood meeting. The applicant has done a good job of communicating with him. He appreciated that. He knew of the proposal when he purchased the property.
- He asked what variances were alleviated by the creation of the cul-de-sac. He thought that the cul-de-sac would create more of an environmental impact than granting variances for a through road. That is his concern. He would prefer the through road so more trees east of his lot could be saved.
- He did not want the large weeping willow tree south of the right of way impacted.

Peter Carlson, 1551 Linner Road, provided pictures of his lot. He provided history on the redevelopment of the site. A developer won a court ruling which excluded

the through street in 1993. Nobody has given consideration to his property rights, the impact on his privacy, and the use of the driveway since 1985. He provided a legal document that gave "exclusive benefit" for each resident lot. That is relevant. He has never been opposed to the development of the other lots, but he is opposed to the change in the use of his property and privacy rights. His water pressure is fine. Water pipes can be installed without a cul-de-sac. Stormwater drains off his property just fine. There is a fire hydrant at the end of his driveway. He would like the commission to consider alternatives.

Keith Ernst, 14731 Oak Lane, stated that his main concern is the environmental impact. A lot of his concerns have been alleviated from his communications with Colleran, Dietrich, and Cauley who were great and responded quickly. The pond in his backyard would be protected and there would be consequences if there would be a problem. A lot of trees would be removed from a beautiful, forested area. He thought the proposed sewer and water line locations drove the layout for the development. He was concerned with the infrastructure having an impact on the wetland area.

Julie Heaser, 1553 Linner Road, asked for the proposed changes in elevation and when she can expect to know more about how the construction would disrupt the water service and access to her property.

Gary Eidson, attorney representing the applicant, stated that he provided a history to Cauley of the recorded instruments in respect to the street. He reviewed the history. The city has the right to build the street and the declaration that Mr. Carlson provided would have no effect.

Mr. Ernst stated that the development of 1503 Linner Road caused the removal of all of the trees that were there.

No additional testimony was submitted and the hearing was closed.

Cauley described the proposal and each variance. Keeping the driveway a driveway rather than a cul-de-sac appeared that it would save seven high-priority trees. On the same day that the Declaration of Easements and Covenants and Conditions and Restrictions provided by Mr. Carlson was recorded, a driveway permit was also recorded that states that the property owner does not assume any property owner rights of that area and that a declaration of covenants was also recorded on that date which specifically states that the through street could be constructed in the future. That provides the notice in the chain of title. Those documents are still tied to the properties.

Cauley stated that the willow that Mr. Heaser referred to is located on 1553 Linner Road, so it would not be impacted by the proposal. Colleran explained that tree protection fencing would be required to be installed at the grading limit in order to protect most of the critical root zone. Chair Kirk confirmed with Colleran that the trees on the site do not constitute a woodland preservation area, as it is not at least two acres in size.

Dietrich explained the stormwater drainage patterns for the area and stormwater ponds that would be provided by the proposal. The ponds would be sized to accommodate the stormwater runoff from the buildings and road.

Cauley explained that a construction management plan would outline aspects of construction including the hours of construction and routes for construction vehicles.

Mr. Bakritges explained that once the proposal is approved, the first step would be to remodel the “burned” house, bid the project in January, and construction would begin in April or May of 2017. The lots would be custom graded. The houses would not be built at one time, but would be built for each buyer. In this area, houses are selling for \$1 million to \$1.2 million and more. The houses would be similar to what exists.

Nick Polta, engineer for the applicant, stated that the elevation for the “burned” house would not change at all; Lot 2 would have some fill, but would still be lower than the neighboring house; Lot 3 would be a walkout which would fit the existing contours; and Lot 4 is a flat lot that would not be changed much.

In response to Powers’ question, Cauley explained that staff did not feel that saving two trees would justify approving four substantial variances for a four-lot subdivision especially when the variances would not result in significant preservation of a natural resource. Staff looks at how a development would influence design and redevelopment of the area.

Chair Kirk noted that the city is trying to move away from creating lots behind lots. The neighborhood is primarily made up of cul-de-sacs. Powers agreed that there are a lot of cul-de-sacs.

Chair Kirk noted that changing a driveway that has been used as a private driveway for years is difficult. The difference in tree loss between a cul-de-sac and driveways alternative is almost negligible.

Powers appreciated the neighbors’ concerns. Calvert appreciated the community caring about trees and water quality.

O'Connell supports staff's recommendation.

***O'Connell moved, second by Powers, to recommend that the city council adopt the attached resolution with modifications provided in the change memo dated December 15, 2016 which grants preliminary plat approval to Woodlands at Linner a four-lot subdivision with variances at 1555 Linner Road.***

***O'Connell, Odland, Powers, Calvert, and Kirk voted yes. Knight was absent. Motion carried.***

**C. Items concerning Crest Ridge Senior Living at 10955 Wayzata Boulevard.**

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

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

Matt Rauenhorst, Opus Development, 10350 Bren Road West, applicant, stated that Thomas did a great job providing background on the project. The proposal has been able to accommodate many of the comments received. He was available for questions. He is comfortable with staff's recommendations.

O'Connell asked when the proposal would be completed. Mr. Rauenhorst estimated the summer of 2018. A significant number of trees would be added to the site to provide screening. The neighbors are now comfortable with the proposal. Thomas noted that there were no neighbors in the audience and gave the applicant credit for meeting with neighbors and adding substantial screening to the proposal. The photometrics plan for the site indicates that the light reading at the property line would be zero footcandles.

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

Powers complemented the applicant for addressing the neighbors' concerns.

***Odland moved, second by Calvert, to recommend that the city council adopt the following pertaining to 10955 Wayzata Boulevard:***

- 1. A resolution amending the comprehensive guide plan designation from office to high-density residential.***

2. ***An ordinance repealing and replacing the existing Crest Ridge Corporate Center master development plan as it pertains to the subject property.***
3. ***A resolution approving final site and building plans for Crest Ridge Senior Living.***

***O'Connell, Odland, Powers, Calvert, and Kirk voted yes. Knight was absent. Motion carried.***

9. **Adjournment**

***Odland moved, second by Calvert, to adjourn the meeting at 8:40 p.m. Motion carried unanimously.***

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

**Minnetonka Planning Commission Meeting**

**January 5, 2017**

**Agenda Item 7**

**Public Hearing: Consent Agenda**

**MINNETONKA PLANNING COMMISSION**  
**January 5, 2017**

**Brief Description**      Front yard and wetland setback variances for dormer additions at 2600 Crosby Road

**Recommendation**      Adopt the resolution approving the variances

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**Background**

In November 1992, the planning commission considered an application for removal of the existing home and construction of a new home on the property at 2600 Crosby Road. The application includes multiple setback variances:

	<b>Required</b>	<b>Proposed</b>
<b>Front Yard</b>	25 feet*	10 feet
<b>Shoreland</b>	50 feet	23 feet
<b>Floodplain</b>	35 feet**	18 feet
<b>Wetland</b>	35 feet	23 feet

\*Incorrect setback applied. Correct setback was 35 feet.

\*\*Setback requirements has since changed to 20 feet

Staff recommended approval of the variances noting:

- In addition to standard R-1 setback requirements, the 17,920 square foot subject property was further constrained by required wetland, floodplain, and shoreland setbacks. Given all these setbacks, the lot had just 528 square feet of buildable area.
- The proposed home would not encroach further into required wetland, floodplain, or shoreland setbacks than the then existing home.

The planning commission concurred with staff's findings and approved the variances.

**Proposal**

Wallace Architecture, on behalf of current property owners Patty and Bill Hicks, is proposing several dormer additions to the existing home. The additions would not change the footprint of the home. However, livable space would be added within the required setbacks. As such, two variances are necessary:



	<b>Required</b>	<b>Proposed</b>
<b>Front Yard</b>	35 feet	10 feet
<b>Wetland</b>	35 feet	23 feet

Shoreland and floodplain setback variance are not necessary at this time as:

- For several years staff has not considered areas north and east of the property as shoreland. Rather, the area is considered wetland. Shoreland setbacks do not apply.
- Additions above the first floor are exempt from floodplain setback requirements.

### **Staff Analysis**

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

- **Reasonableness:** The requested variances are reasonable. The proposed dormers would add livable space without changing either the footprint or height of the existing home.
- **Unique Circumstance.** The subject property is bound by required setbacks from public right-of-way, wetland, and floodplain. Any addition to the home would likely require one or more variances. While not necessarily unique in the immediate area, this is a circumstance not common to all single-family properties in the community.
- **Neighborhood Character.** The immediate area contains an eclectic assortment of home styles with varied setbacks. There is not a clear and defined neighborhood character. As such, the requested variance would not negatively impact the area.

### **Staff Recommendation**

Adopt the resolution approving front yard and wetland setback variances for dormer additions to the existing home at 2600 Crosby Road.

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

### Supporting Information

**Surrounding  
Land Uses**

Northerly: wetland  
Easterly: wetland  
Southerly: single-family homes  
Westerly: single-family homes

**Planning**

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

**Expansion Permit  
v. Variance**

An expansion permit is required for an expansion of a non-conforming structure when that expansion maintains the same setbacks as the existing non-conformity. A variance is required for expansion of a non-conforming structure when expansion would intrude into one or more setback areas beyond the distance of the existing structure.

By definition, a non-conforming structure is one that is not in full compliance with the regulations of the ordinance and either: (1) was legally established before the effective date of the ordinance provision with which it does not comply; or (2) became non-conforming because of other governmental action, such as a court order or a taking by a governmental body under eminent domain or negotiated sale.

The existing home is not considered non-conforming because its reduced setbacks were approved by variances, as is allowed by ordinance. Essentially, the home “conforms” to the setbacks legally approved in 1992. Because it is not non-conforming, the applicant’s request is not eligible for an expansion permit. A variance is required.

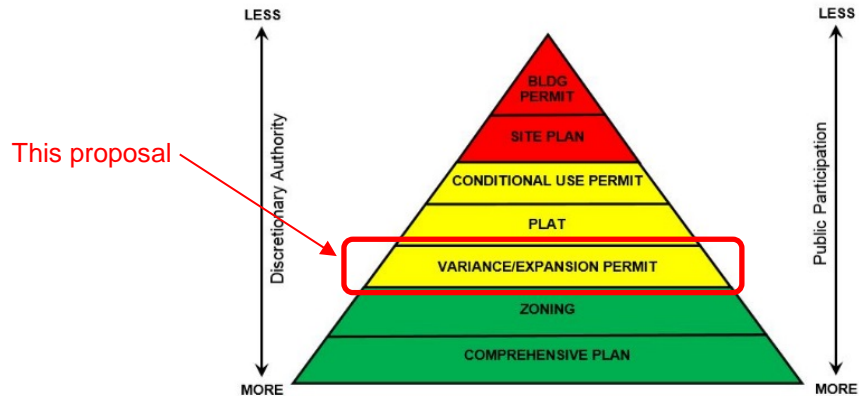
**Variance Standard**

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

**Neighborhood Comments**

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

**Pyramid of Discretion**



**Motion options**

The planning commission has the following motion options:

1. Concur with staff's recommendation. In this case, a motion should be made adopting the resolution approving the variances.
2. Disagree with staff's recommendation. In this case, a motion should be denying the request. The motion should include findings for denial.
3. Table the request. In this case, a motion should be made to table the item. The motion should include a statement as to why the request is being tabled with direction to staff, the applicant or both.

**Voting Requirement**

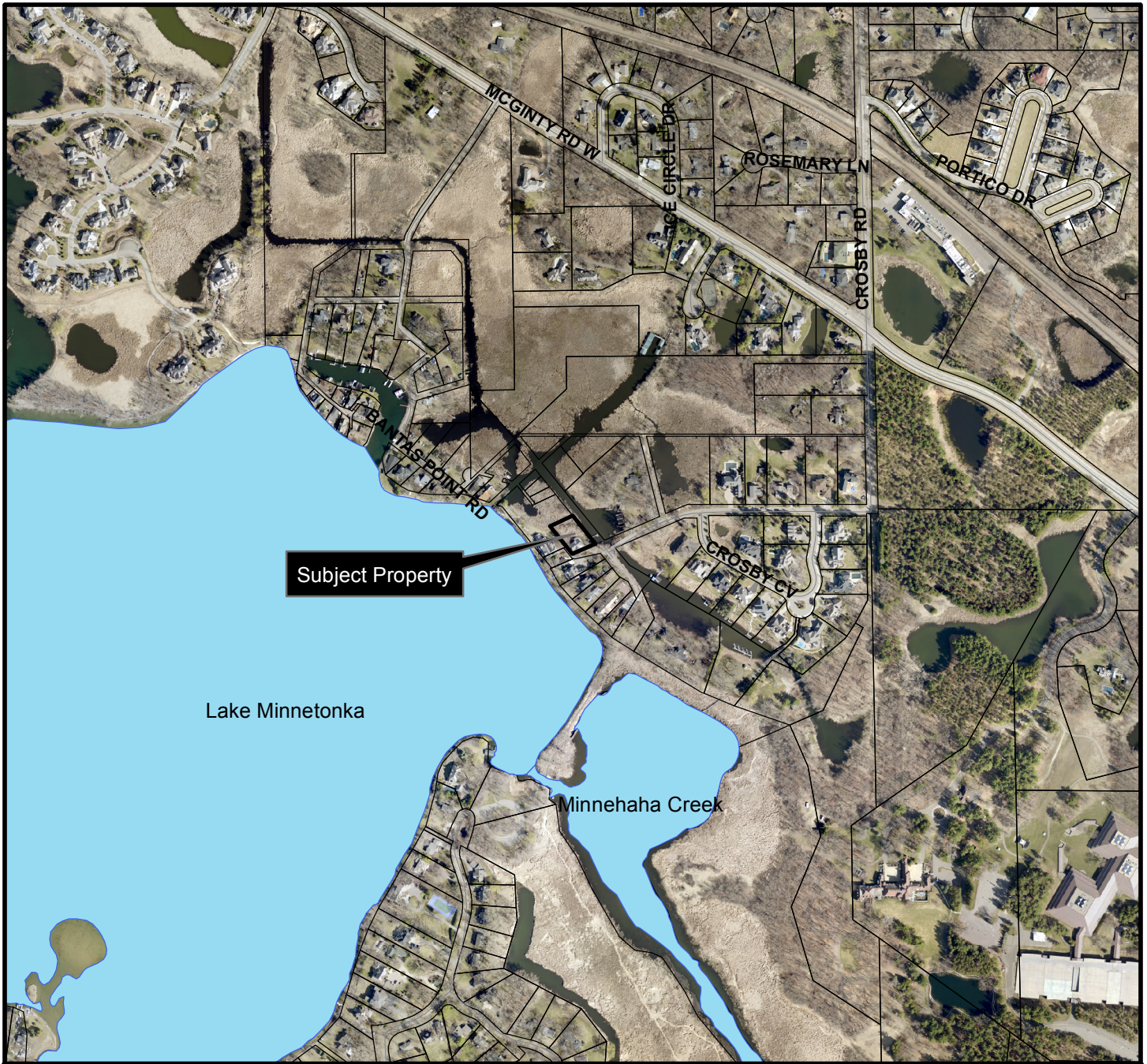
The planning commission action on the applicant's request is final subject to appeal. Approval requires the affirmative vote of five commissioners.

**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**

**March 6, 2016**



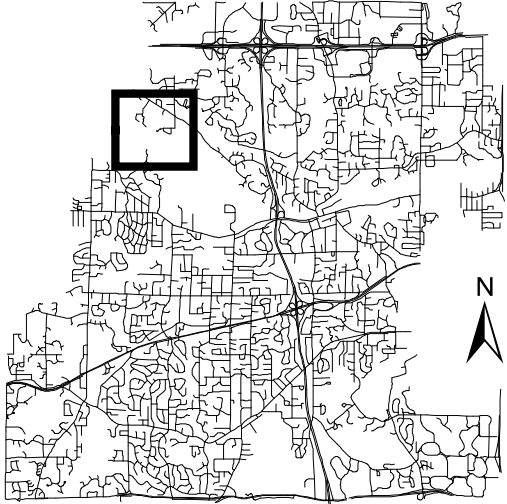
Subject Property

Lake Minnetonka

Minnehaha Creek

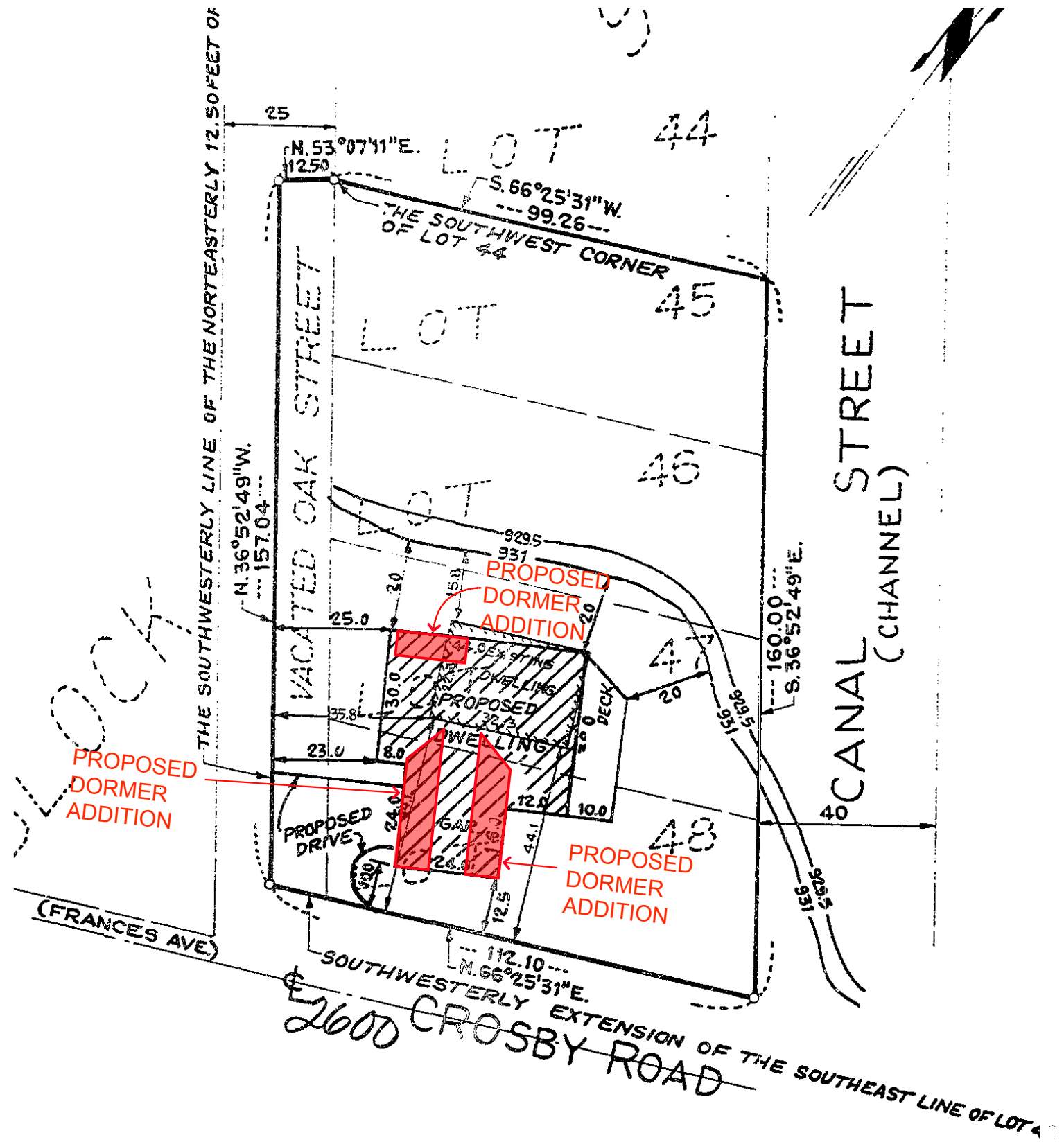
### Location Map

Project: Patty & Bill Hicks  
Applicant: Wallace Architecture, Inc  
Address: 2600 Crosby Rd  
Project No. 16036.16a



This map is for illustrative purposes only.





1  
00

**SITE PLAN**

SCALE: 1" = 30'

**wallace**  
ARCHITECTURE, pllc

311 Third Street  
Excelsior, MN 55331

**952.913.9641**

These documents are instruments of service, and, as such, remain the property of wallace ARCHITECTURE, pllc. Use or publication of these documents requires written approval from wallace ARCHITECTURE, pllc.

the HICKS remodel

2600 Crosby Road  
MINNETONKA, MN 55391

Project Number: 1606

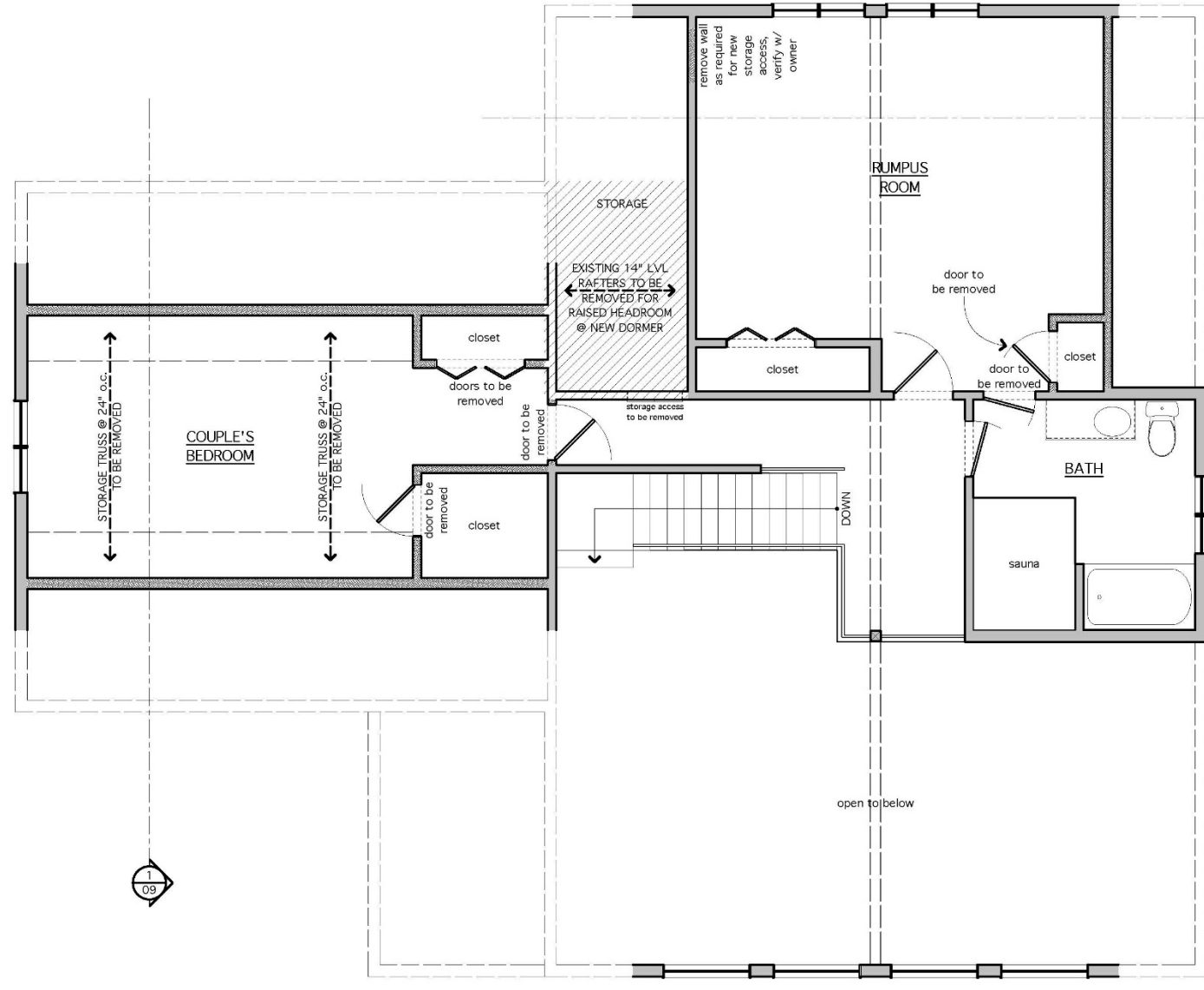
Project Architect: Dan Wallace

Drawn By: Dan Wallace

Date of Issue: 9 December 2016

00

# EXISTING



KEY  
 EXISTING WALL TO REMAIN =   
 EXISTING WALL TO BE REMOVED =

UPPER LEVEL PLAN, ROOF FRAMING PLAN - existing / demolition

SCALE: 1/4" = 1'-0"

1  
02

**wallace**  
 ARCHITECTURE, PLLC  
 311 Third Street  
 Excelsior, MN 55331  
**952.913.9641**

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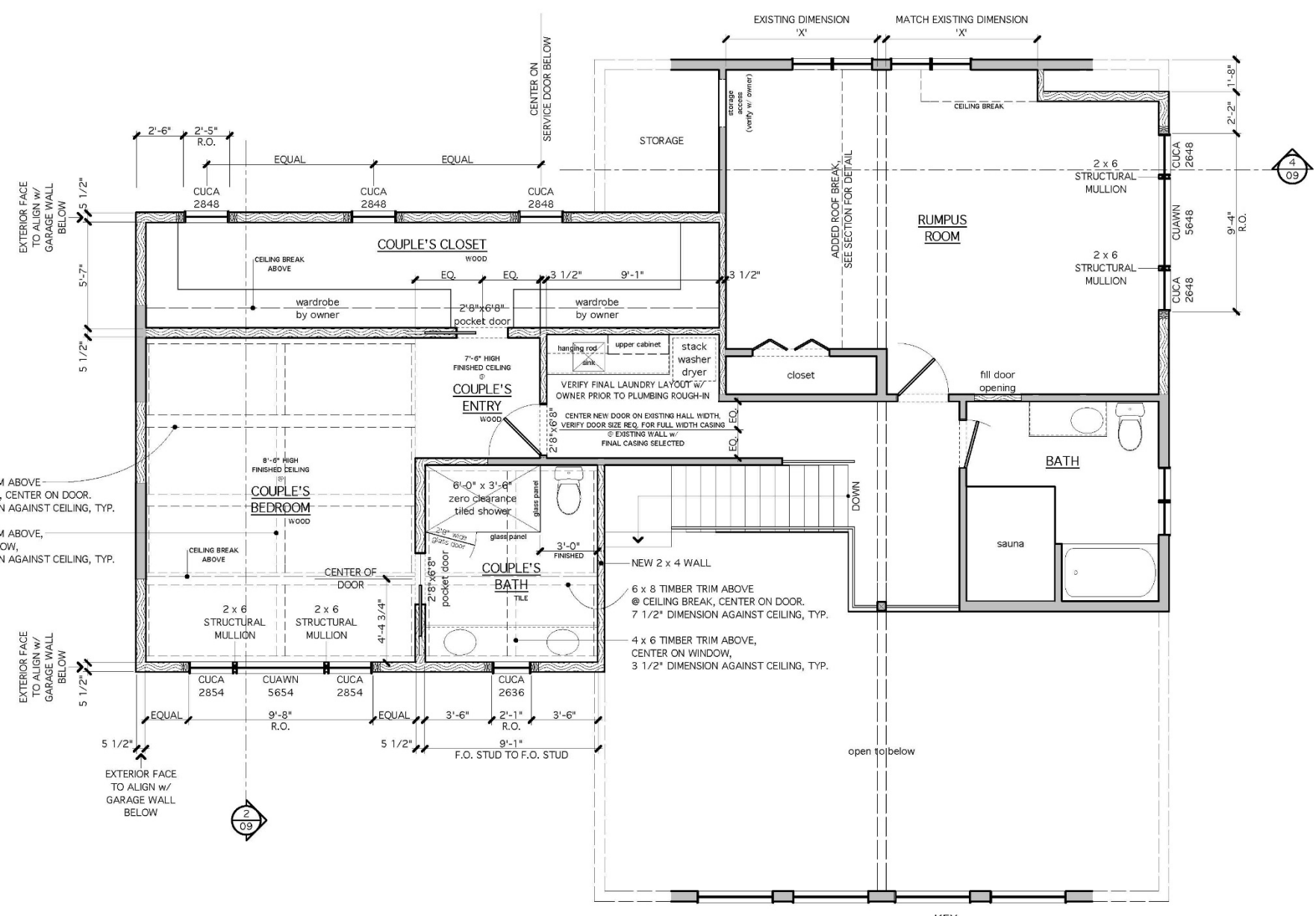
the HICKS remodel  
 2600 Crosby Road  
 MINNETONKA, MN 55391

Project Number: 1606  
 Project Architect: Dan Wallace  
 Drawn By: Dan Wallace

Date of Issue: 17 October 2016  
 Permit: 9 Dec 2016  
 6 Dec 2016

02

# PROPOSED



KEY  
 EXISTING WALL TO REMAIN =   
 NEW WALL TO BE INSTALLED =

UPPER LEVEL PLAN - addition / remodel

SCALE: 1/4" = 1'-0"

1  
06

**wallace**  
 ARCHITECTURE, PLLC  
 311 Third Street  
 Excelsior, MN 55331  
**952.913.9641**

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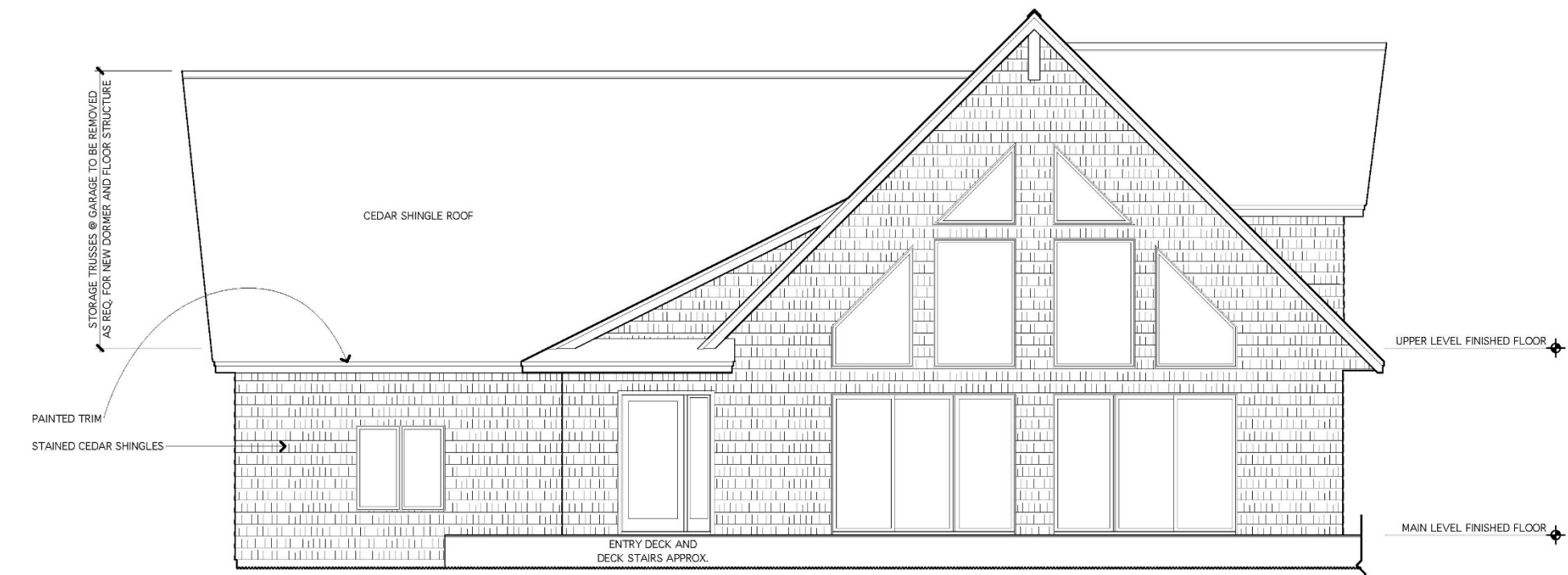
the HICKS remodel  
 2600 Crosby Road  
 MINNETONKA, MN 55391

Project Number: 1606  
 Project Architect: Dan Wallace  
 Drawn By: Dan Wallace

Date of Issue: 17 October 2016  
 Permit: 9 Dec 2016  
 6 Dec 2016

06

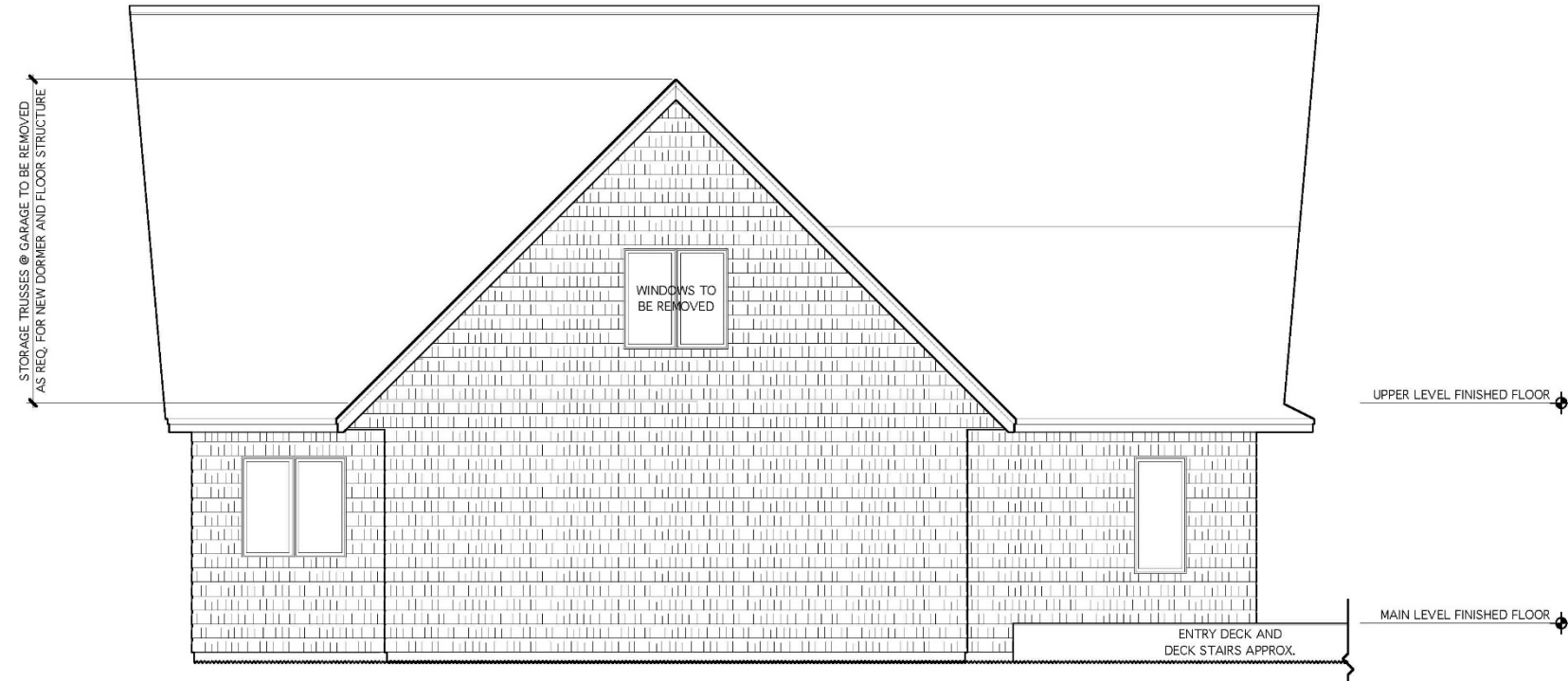
# EXISTING



1  
03

EXTERIOR ELEVATION - existing / demolition, northeast marsh entry side

SCALE: 1/4" = 1'-0"



2  
03

EXTERIOR ELEVATION - existing / demolition, southeast garage side

SCALE: 1/4" = 1'-0"

**wallace**  
ARCHITECTURE, PLLC  
311 Third Street  
Excelsior, MN 55331  
**952.913.9641**

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**the HICKS remodel**  
2600 Crosby Road  
MINNETONKA, MN 55391

Project Number: 1606  
Project Architect: Dan Wallace  
Drawn By: Dan Wallace

Date of Issue: 9 Dec 2016  
Permit: 6 Dec 2016  
17 October 2016

**03**

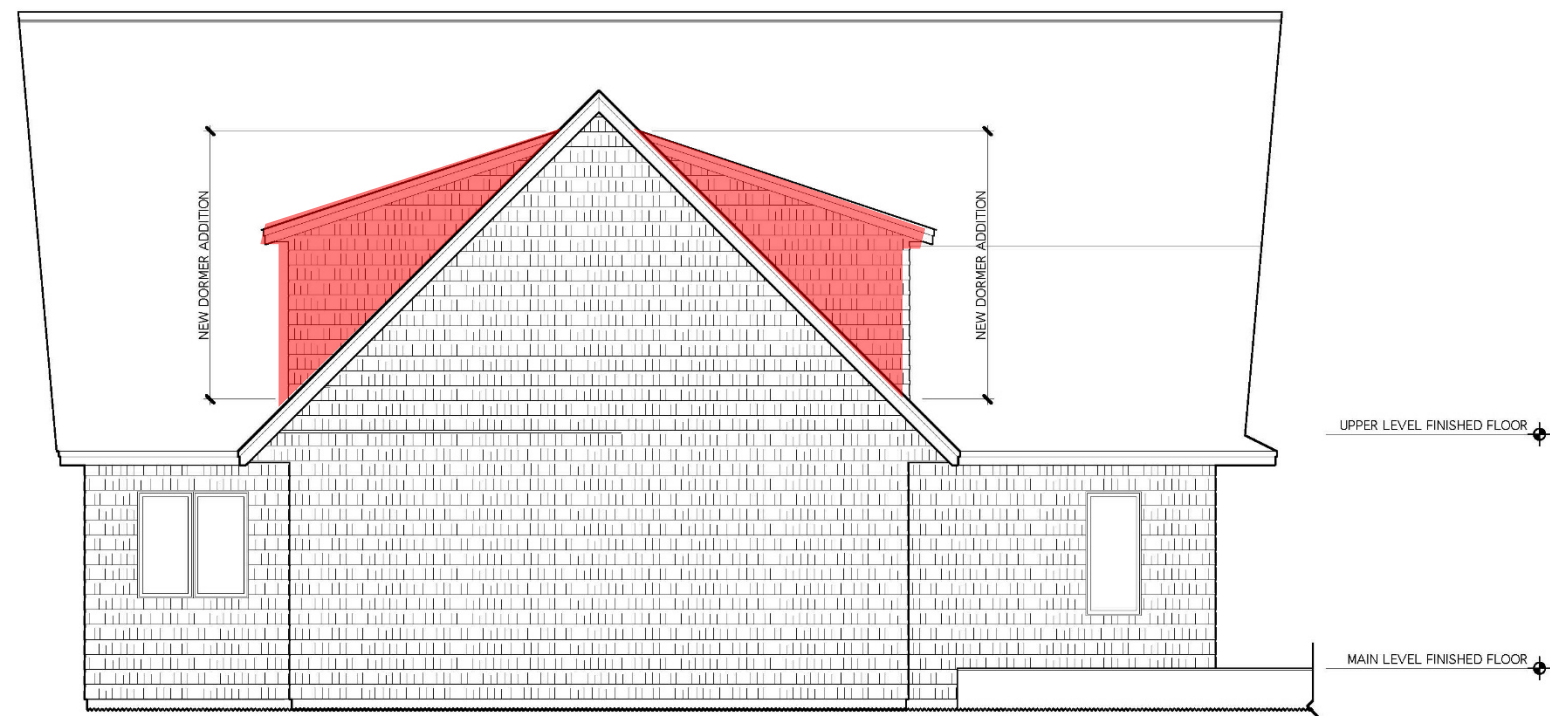
# PROPOSED



1  
07

EXTERIOR ELEVATION - addition / remodel, northeast marsh entry side

SCALE: 1/4" = 1'-0"



2  
07

EXTERIOR ELEVATION - addition / remodel, southeast garage side

SCALE: 1/4" = 1'-0"

**wallace**  
ARCHITECTURE, PLLC  
311 Third Street  
Excelsior, MN 55331  
**952.913.9641**

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**the HICKS remodel**  
2600 Crosby Road  
MINNETONKA, MN 55391

Project Number: 1606  
Project Architect: Dan Wallace  
Drawn By: Dan Wallace

Date of Issue: 9 Dec 2016  
Permit: 6 Dec 2016  
17 October 2016

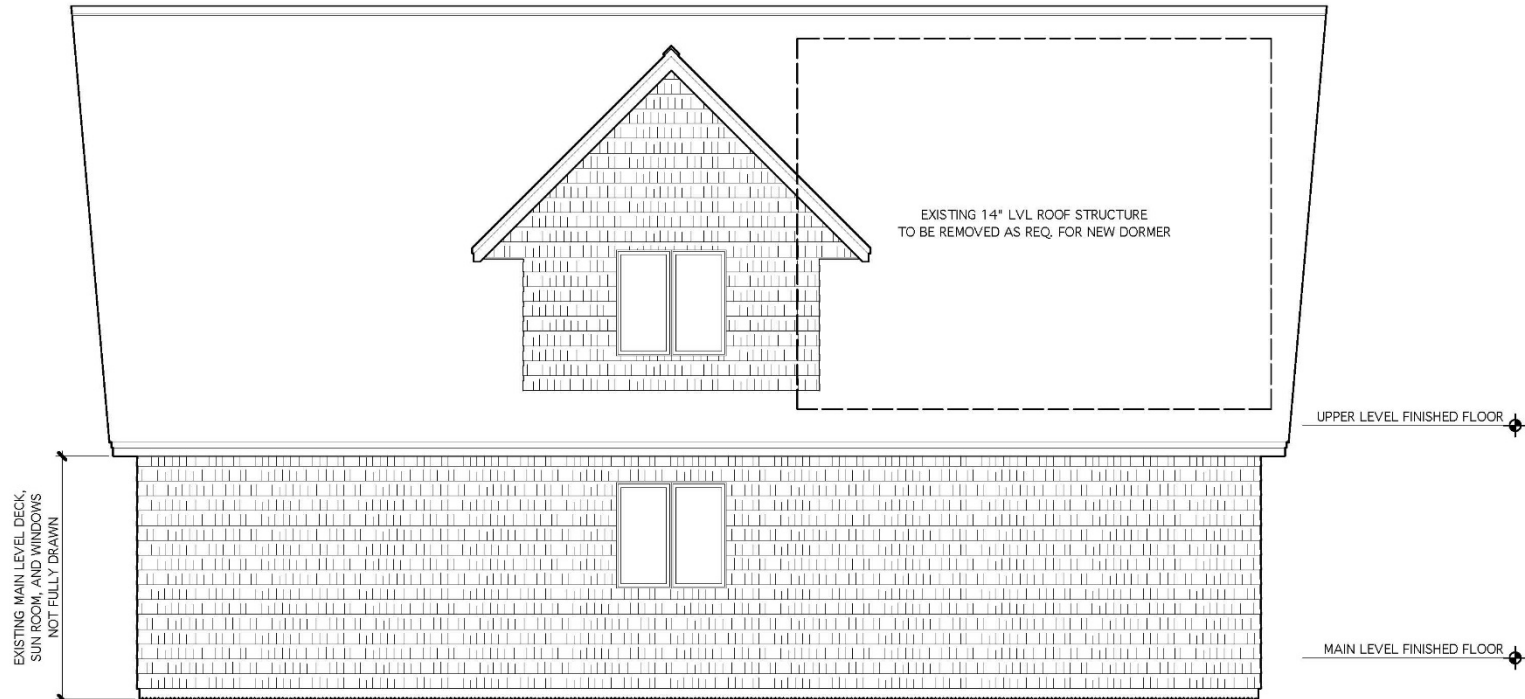
**07**

# EXISTING



EXTERIOR ELEVATION - existing / demolition, southwest garage face  
SCALE: 1/4" = 1'-0"

1  
04



EXTERIOR ELEVATION - existing / demolition, northwest marsh view side  
SCALE: 1/4" = 1'-0"

2  
04

**wallace**  
ARCHITECTURE, pllc  
311 Third Street  
Excelsior, MN 55331  
**952.913.9641**

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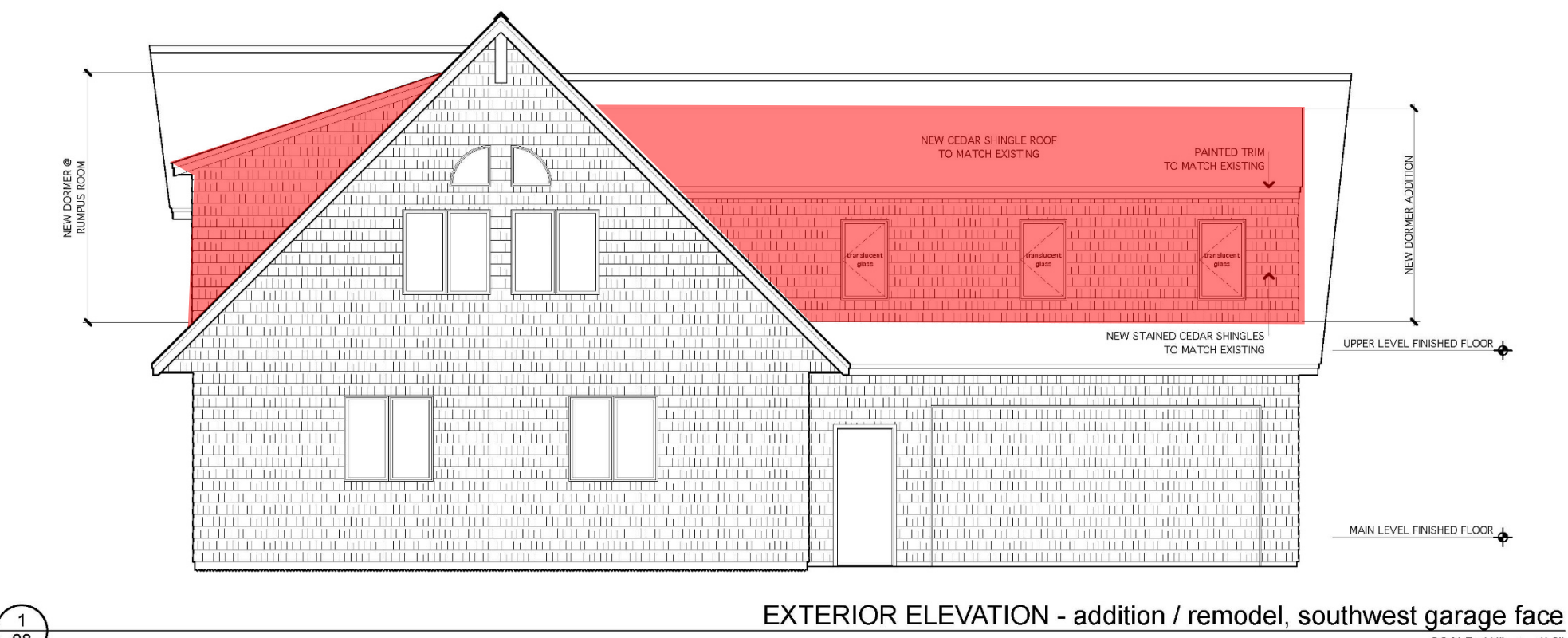
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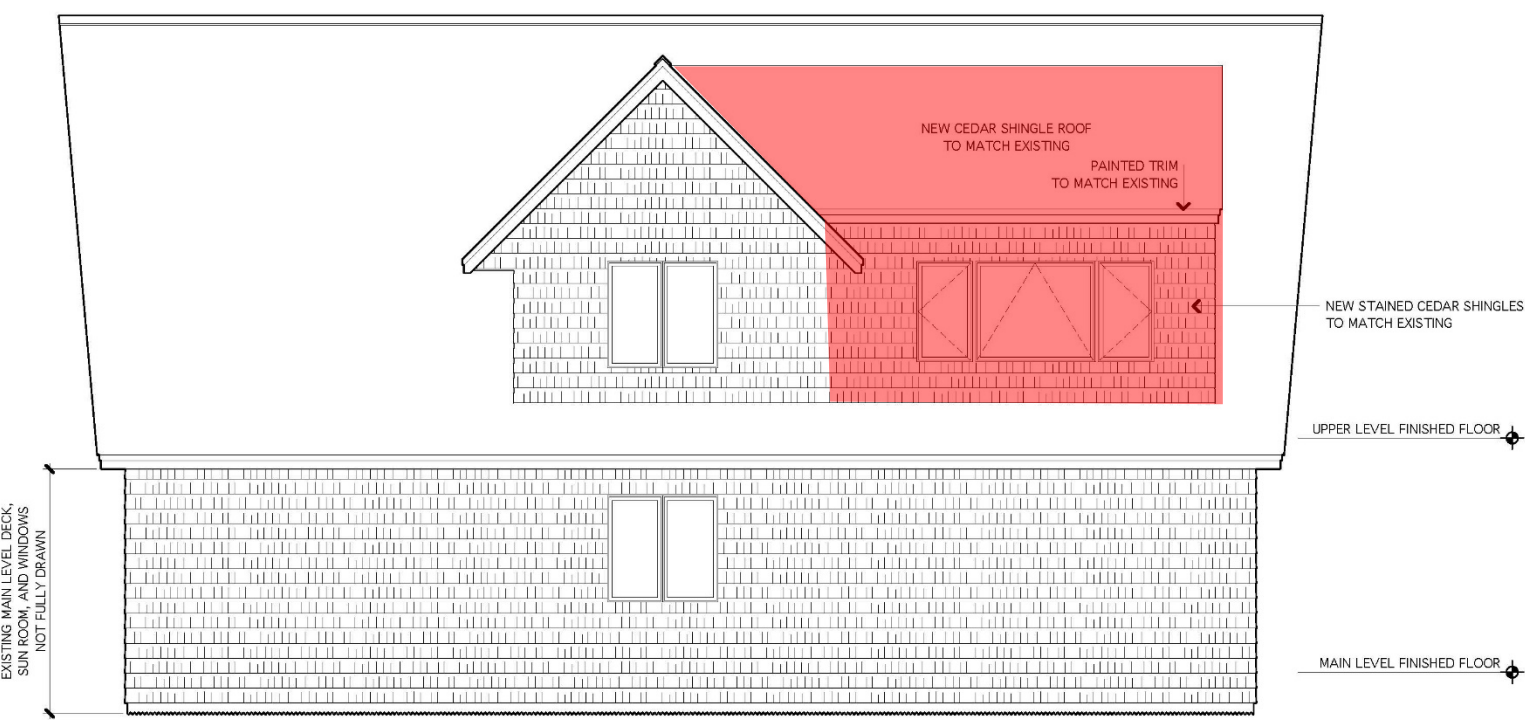
04

# PROPOSED



EXTERIOR ELEVATION - addition / remodel, southwest garage face  
SCALE: 1/4" = 1'-0"

1  
08



EXTERIOR ELEVATION - existing / demolition, northwest marsh view side  
SCALE: 1/4" = 1'-0"

2  
08

**wallace**  
ARCHITECTURE, pllc  
311 Third Street  
Excelsior, MN 55331  
**952.913.9641**

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**the HICKS remodel**  
2600 Crosby Road  
MINNETONKA, MN 55391

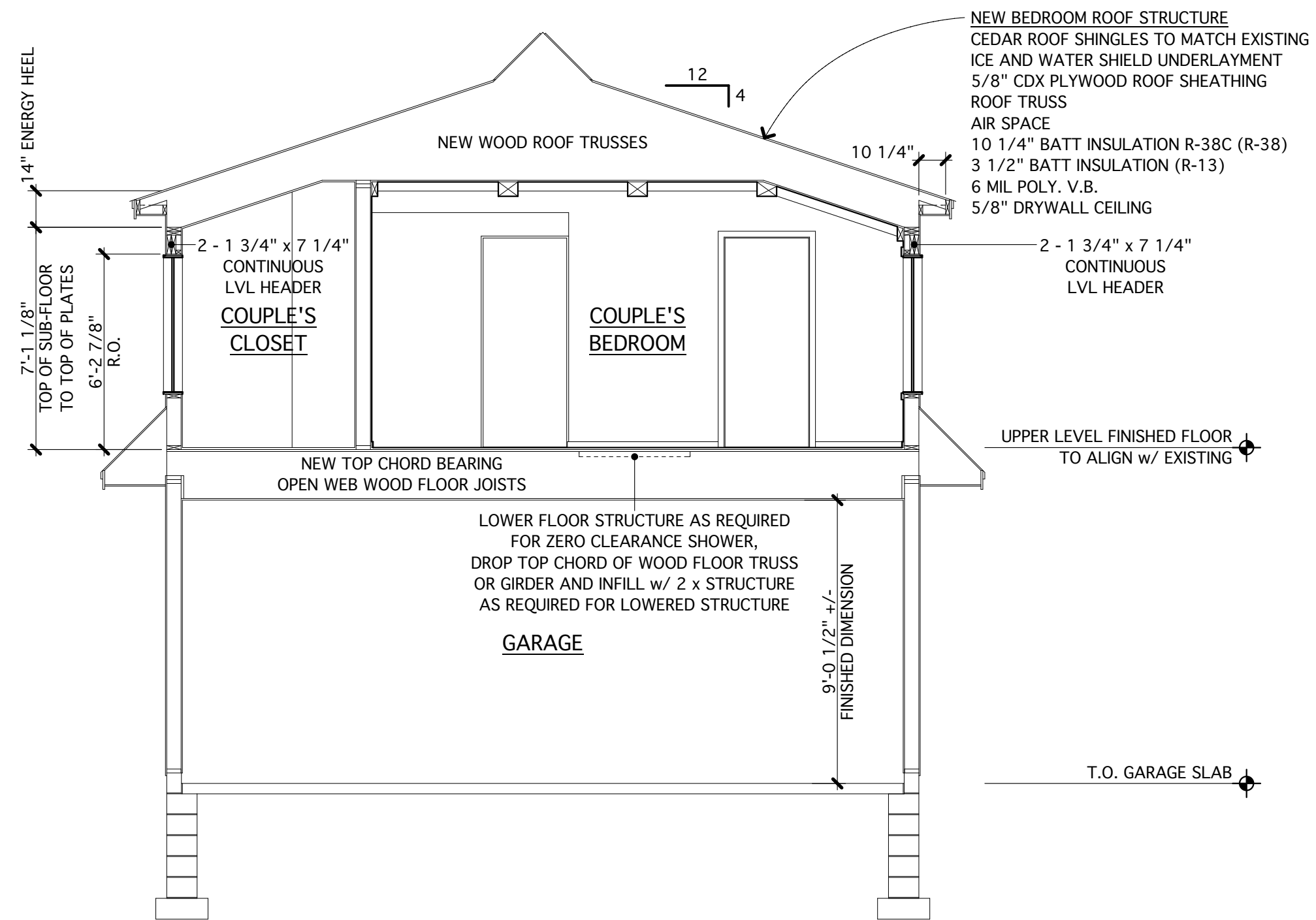
Project Number: 1606  
Project Architect: Dan Wallace  
Drawn By: Dan Wallace

Date of Issue: 9 Dec 2016  
Permit: 6 Dec 2016  
17 October 2016

08

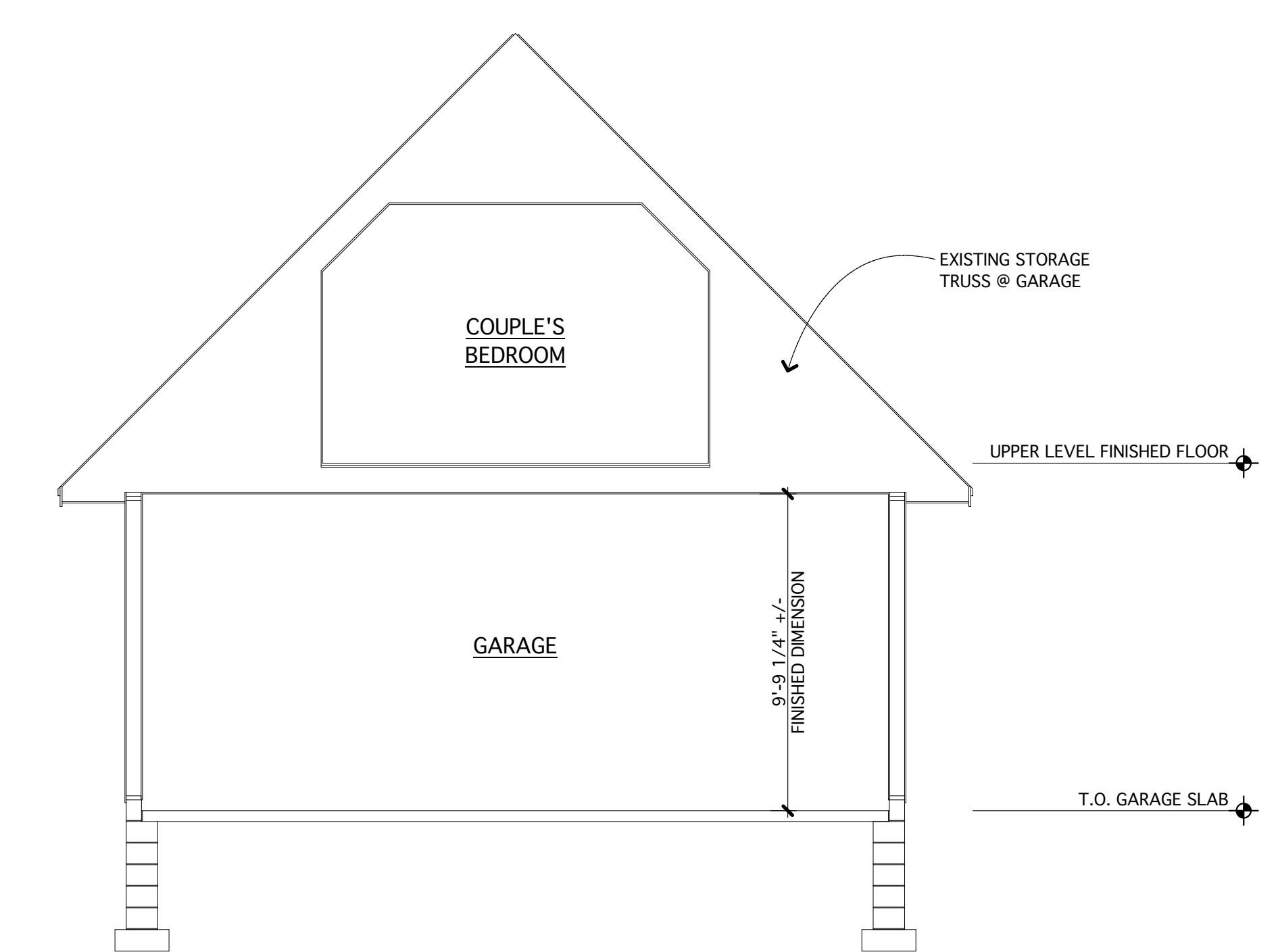


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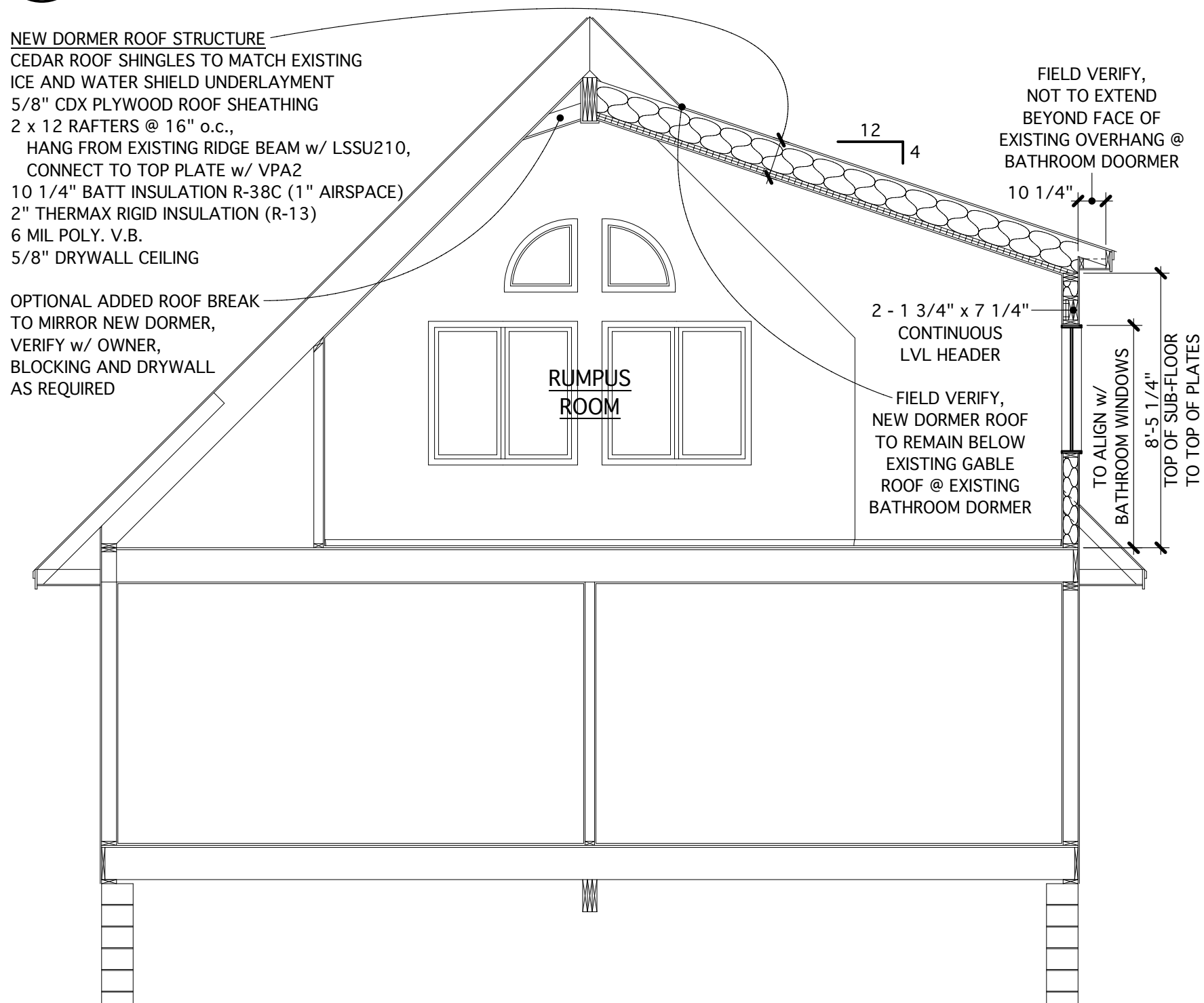
2 09 GARAGE SECTION SKETCH - addition / remodel

SCALE: 1/4" = 1'-0"



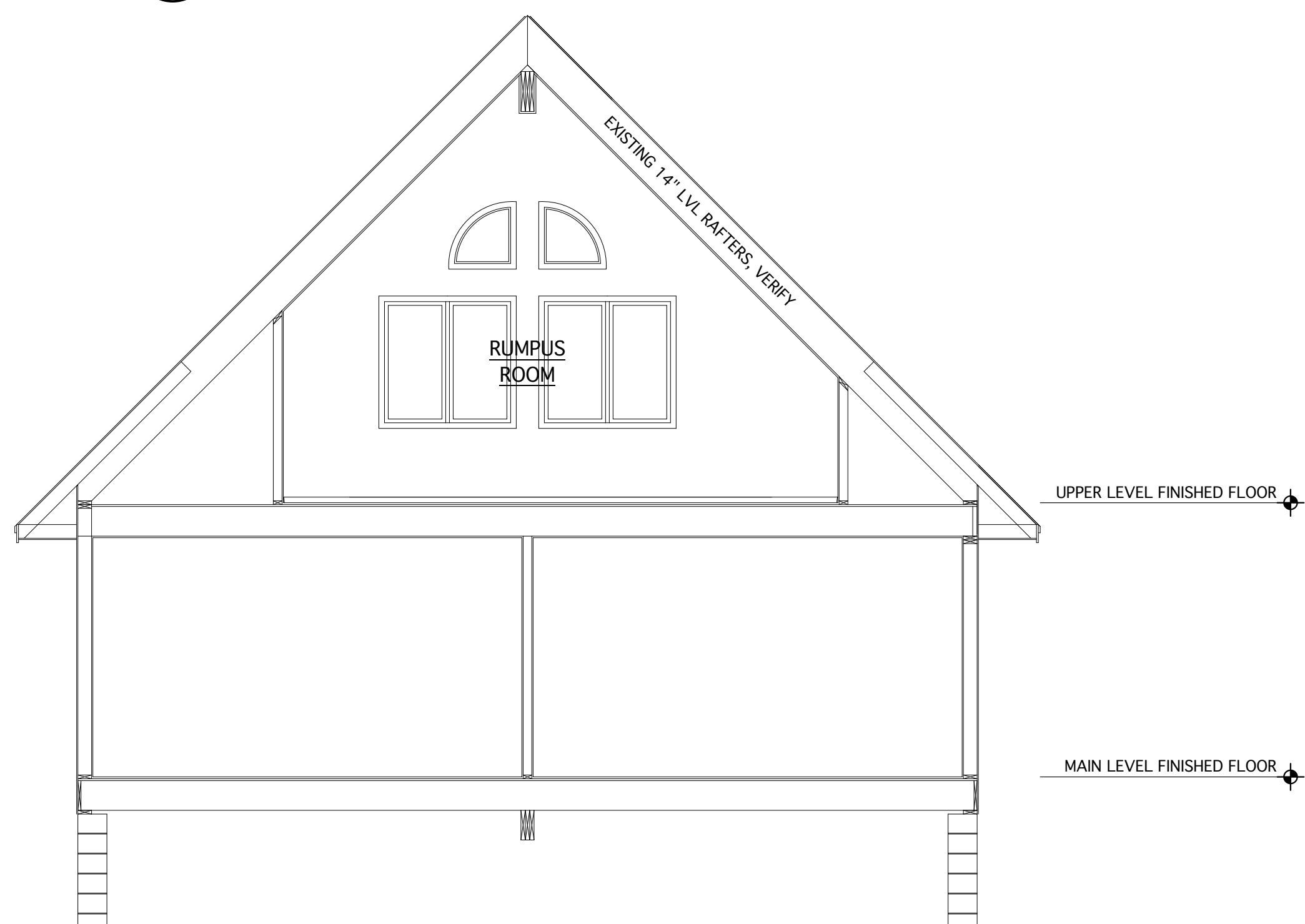
1 09 GARAGE SECTION SKETCH - existing

SCALE: 1/4" = 1'-0"



4 09 THIRD DORMER SECTION SKETCH - addition / remodel

SCALE: 1/4" = 1'-0"



3 09 THIRD DORMER SECTION SKETCH - existing

SCALE: 1/4" = 1'-0"

the HICKS remodel

2600 Crosby Road  
MINNETONKA, MN 55391

Project Number: 1606

Project Architect: Dan Wallace

Drawn By: Dan Wallace

Date of Issue: Permit: 9 Dec 2016

6 Dec 2016

17 October 2016

## **Planning Commission Resolution No. 2017-**

### **Resolution approving front yard and wetland setback variances for dormer additions at 2600 Crosby 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 2600 Crosby Road. It is legally described as:

Lots, 45, 46, 45 and 48, Griswolds Addition on Grays Bay Lake Minnetonka, including adjacent 1/2 of vacated alley.

1.02 Wallace Architecture, on behalf of current property owners Patty and Bill Hicks, is proposing several dormer additions to the existing home. The additions would not change the footprint of the home. However, livable space would be added within the required front yard and wetland setbacks. As such, two variances are necessary:

- Front yard setback from 35 feet to 10 feet
- Wetland setback from 35 feet to 23 feet

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

#### Section 2. Standards.

2.01 By City Code §300.07 Subd. 1, a variance may be granted from the requirements of the zoning ordinance when: (1) the variance is in harmony with the general purposes and intent of this ordinance; (2) when the variance is consistent with the comprehensive plan; and (3) when the applicant establishes that there are practical difficulties in complying with the ordinance. Practical difficulties means: (1) The proposed use is reasonable; (2) the need for a variance is caused by circumstances unique

to the property, not created by the property owner, and not solely based on economic considerations; and (3) the proposed use would not alter the essential character of the surrounding area.

Section 3. Findings.

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

1. **PURPOSE AND INTENT OF THE ZONING ORDINANCE:** The purpose and intent of required setbacks is to ensure appropriate separation between structures and property lines or natural resources. The requested variances meeting this intent. The proposed dormer additions would not change the footprint of the existing home. In other words, the dormers would not encroach further into the required front yard or wetland setback than the existing home.
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 requested variances are reasonable. The proposed dormers would add livable space without changing either the footprint or height of the existing home.
  - b) **UNIQUE CIRCUMSTANCE:** The subject property is bound by required setbacks from public right-of-way, wetland, and floodplain. Any addition to the home would likely require one or more variances. While not necessarily unique in the immediate area, this is a circumstance not common to all single-family properties in the community.
  - c) **CHARACTER OF LOCALITY:** The immediate area contains an eclectic assortment of home styles with varied setbacks. There is not a clear and defined neighborhood character. As

such, the requested variance would not negatively impact the area.

Section 4. Planning Commission Action.

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

1. Subject to staff approval, the site must be developed and maintained in substantial conformance with the following plans, excepted as modified by the conditions below:
  - Site plan dated December 9, 2016
  - Building plan set dated December 9, 2016
2. Prior to issuance of a building permit:
  - a) A copy of this resolution must be recorded with Hennepin County.
  - b) Install construction fencing as required by staff for inspection and approval. These items must be maintained throughout the course of construction.
3. This variance will end on December 31, 2018, 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 January 5, 2017.

\_\_\_\_\_  
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 January 5, 2017.

---

Kathy Leervig, Deputy City Clerk

# **Minnetonka Planning Commission Meeting**

**January 5, 2017**

**Agenda Item 8**

**Public Hearing: Non-Consent Agenda**

**MINNETONKA PLANNING COMMISSION**  
**January 5, 2017**

<b>Brief Description</b>	Preliminary and final plat of TONY'S ADDITION at 9597 Sandra Lane
<b>Recommendation</b>	Recommend the city council adopt the resolution approving the plats

---

### **Introduction**

The 3.3-acre subject property is located on the east side of Sandra Lane, west of U.S. Highway 169. The subject lot is currently vacant. The property generally slopes downward from the south and west toward a drainage pond on the northeast side of the property. The property contains nine high-priority trees and 13 significant trees. (See attachment.)

### **Proposal**

James Yacoub is proposing to divide the property into two, single-family residential lots. The applicant is requesting approval of both preliminary and final plats. (See attached.)

### **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 primary subdivision on staff's findings.

- **Are the proposed lots reasonable?**

Yes. The proposed subdivision would result in two properties meeting and exceeding minimum R-1 standards.

- **Would the proposal meet the tree ordinance?**

No, not as proposed. Under the proposed grading plan, the applicant would be removing eight high-priority trees, which is non-compliant with the tree ordinance, and three significant trees, which would require tree mitigation.

Per city ordinance, the applicant can remove no more than three high-priority trees and must mitigate for tree reduction on the property. As the grading plan submitted would not comply with the city's tree ordinance, as proposed, staff would review the required tree mitigation upon receipt of revised plans.

Both planning and natural resource staff believe that there are alternative grading and building options that would allow for the subdivision of the subject lot and meet the city's tree ordinance. A condition of approval has been added to the resolution that requires a final grading and tree preservation plan be submitted that is compliant with the tree ordinance prior to building permit approval. (See attachment).

**Staff Recommendation**

Recommend the city council adopt the resolution approving the preliminary and final plats of TONY'S ADDITION.

Originator: Drew Ingvalson, Planner  
Through: Loren Gordon, AICP, City Planner



### Supporting Information

<b>Project No.</b>	03071.16a
<b>Property</b>	9597 Sandra Lane
<b>Applicant</b>	James Yacoub
<b>Owner</b>	Tahir Hassan
<b>Surrounding Land Uses</b>	North: Single Family Residential, R-1 West: Single Family Residential, R-1 South: Townhouses (City of St. Louis Park) East: U.S. Highway Right-of-Way (U.S. 169)
<b>Planning</b>	Guide Plan designation: Low density residential Zoning: R-1
<b>History</b>	<p>The subject property was platted as a part of Lohman's Amhurst 4<sup>th</sup> Addition in 1994. This subdivision created two residential lots.</p> <p>In October 2003, a building permit was issued for a single-family home; however, the home was never constructed.</p> <p>In December 2003, city council approved conditional use permits for an accessory apartment and a detached garage exceeding 1,000 square feet and 12 feet in height. Neither of these structures were constructed.</p>
<b>Lot Standards</b>	The proposed plat would meet all minimum R-1 standards:

	<b>REQUIRED</b>	<b>LOT 1</b>	<b>LOT 2</b>
Lot area	22,000 sf	64,127 sf	78,214 sf
Width at ROW	80 ft	104.8 ft	80 ft
Width at setback	110 ft	118.6 ft	110 ft
Lot depth	125 ft	>350 ft	>350 ft
Buildable area	3,500 sf	6,981 sf	35,814 sf

<b>Steep Slope</b>	By code definition, a "steep" slope is one that: (1) rises at least 25 feet; (2) has an average grade change of at least 20-percent; and (3) has a width of at least 100 feet. While the area near the northeast side of the property (adjacent to the pond) has a
--------------------	--

significant grade change, it is not considered a steep slope by ordinance.

**Grading**

As required by the subdivision application process, generalized home footprints, locations, and grading plans have been submitted by the applicant. Specific plans would be submitted and reviewed by staff at the time of building permit applications.

**Trees**

There are nine high-priority trees on the subject property. The majority of the high-priority trees are within the right-of-way and consist of three large basswood as well as some ash and boxelder. There is also one large oak along the west lot line. In addition to the nine high priority trees, there are also 13 significant trees on the subject property. (See attachment.)

Under the proposed grading plan, the applicant would be removing eight high-priority trees, which is non-compliant with the tree ordinance. The applicant has also proposed to remove three significant trees. As the grading plan submitted would not comply with the city's tree ordinance, as proposed, staff would review the required tree mitigation upon receipt of revised plans.

Natural resources staff has reviewed the proposed plan and subject property. Upon review, staff believes that there are alternative grading and building options that would both allow for the subdivision of the lot and meet the city's tree ordinance. A condition of approval has been added to the resolution that requires a final grading and tree preservation plan be submitted that is compliant with the tree ordinance prior to building permit approval. (See attachment.) No more than three high priority trees may be removed.

**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.

**Pond**

The large ponding area on this property is not regulated as wetland. This area was excavated for ponding in an upland area when County Road 18 was upgraded to U.S. Highway 169.

**Stormwater**

There is 100-year floodplain located on the property (northeast corner of lot). The proposed building pads would meet the required building setbacks.

Stormwater mitigation would be required for each individual single-family home. Each lot would be responsible for capturing one inch of runoff volume over the site's impervious surface.

### **Trail Easement**

The neighborhoods located on Sandra and Ann Lane are disconnected from the MetroTransit bus stop on Independence Avenue South and 36<sup>th</sup> Street West in the Lohman's Amhurst Townhome development. (See attachment.) The bus stop (on route 667) provides express transportation from Minnetonka and St. Louis Park to Downtown Minneapolis via 36<sup>th</sup> Street West which crosses U.S. Highway 169 and connects to the Knollwood Mall shopping center area.

Transit users currently cross the subject property and the Lohman's Amhurst Townhome property to access the Independence Avenue and 36<sup>th</sup> Street bus stops. Understanding this, representatives from MetroTransit contacted city staff and asked that a trail easement be provided on the subject property as part of the subdivision. Staff has included a condition of approval requiring a 20-foot wide trail easement to be located along the western property line. (See attached.) The applicant is agreeable to this easement. The proposed trail easement would connect to the Lohman's Amhurst townhome development which is located in the City of St. Louis Park.

The proposed trail easement would not link the subject neighborhood to the proposed bus stop or 36<sup>th</sup> Street West. However, it would provide easement in the City of Minnetonka to begin to create the connection. MetroTransit would need to secure a trail easement from the Lohman's Amhurst Homeowners Association to complete the connection.

### **Motion Options**

The planning commission has three options:

1. Concur with the staff's recommendation. In this case a motion should be made recommending the city council adopt the resolution approving the subdivision.
2. Disagree with staff's recommendation. In this case, a motion should be made recommending the city council deny the request. The motion must include a statement as to why the denial is recommended.
3. Table the request. In this case, a motion should be made to table the item. The motion should include a statement

as to why the request is being tabled with direction to staff, the applicant, or both.

**Voting Requirement** The planning commission will make a recommendation to the city council on the applicant's proposal. A recommendation for approval requires an affirmative vote of a simple majority.

The city council's final approval requires affirmative votes of four members.

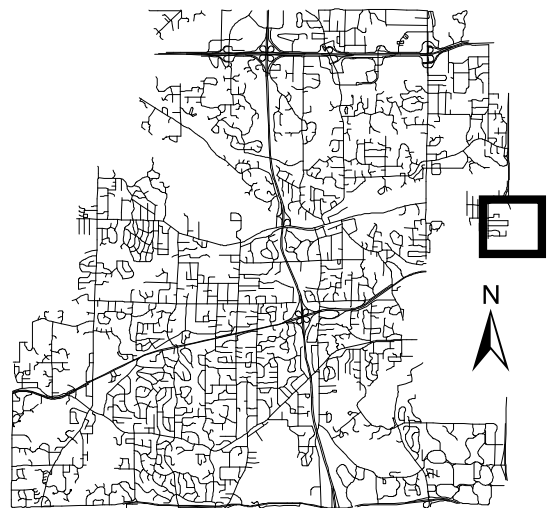
**Neighborhood Comments** The city sent notices to 29 area property owners and received one comment to date.

**Deadline for Decision** January 22, 2017



### Location Map

Project: Tony's Addition  
Applicant: James Yacoub  
Address: 9597 Sandra Lane  
Project No. 03071.16b



This map is for illustrative purposes only.

# PRELIMINARY PLAT OF: TONY'S ADDITION

## EXISTING LEGAL DESCRIPTION:

Lot 2, Block 1, Lohman's Amhurst 4th Addition, Hennepin County, Minnesota.

## TO BE PLATTED AS:

Lots 1 and 2, Block 1, TONY'S ADDITION, Hennepin County, Minnesota.

## SUBDIVISION SUMMARY:

The total number of lots is equal to 2, The total area is 142,340 square feet.

## PROPOSED AREA:

Site Area Lot 1, Block 1, TONY'S ADDITION equals 64,127 square feet = 1.472 acres.

Site Area Lot 2, Block 1, TONY'S ADDITION equals 78,214 square feet = 1.796 acres.

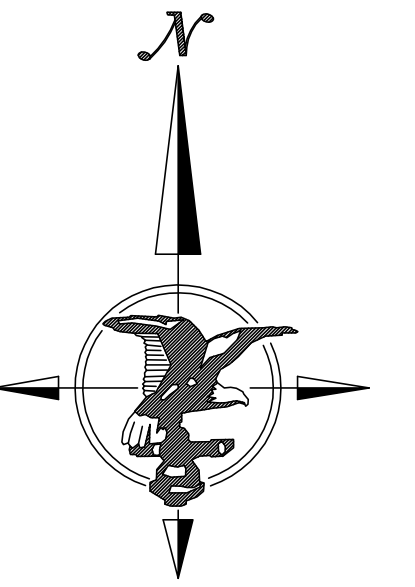
## BUILDABLE AREA:

Site Area Lot 1, Block 1, TONY'S ADDITION equals 6,981 square feet = 0.160 acres.

Site Area Lot 2, Block 1, TONY'S ADDITION equals 35,814 square feet = 0.822 acres.

## GENERAL NOTES:

- The bearing system used is based on Lohman's Amhurst 4th Addition.
- The location of the underground utilities shown herein, if any, are approximate only. PURSUANT TO MSA 216D CONTACT GOPHER STATE ONE CALL AT (612) 454-0002 PRIOR TO ANY EXCAVATION.
- Subject property is identified as being in both "Zone X, Other Areas;" "Zone X, Other Flood Areas" AND "Zone AE, Base flood elevation determined" on Flood Insurance Rate Map No. 27053C0334E, effective date September 2, 2004.
- Zoning = Presently R1 (Low Density Residential District) per City of Minnetonka.
- Setback requirements per City of Minnetonka.  
Front = 35 feet  
Rear = 40 feet or 20% of lot depth, whichever is less.  
Side = Aggregate 30 feet, Minimum 10 feet on any one side.  
Floodplain = 20 feet (908 contour per FEMA Map).  
Lowest elevation: 2 feet above Floodplain elevation (910 contour)
- The zoning and setback information listed above is per Minnetonka's webpage on September 6, 2016. Please contact Minnetonka's zoning office directly at 952-939-8280 with any questions, and before performing or planning construction.
- Total Site area = 142,340 square feet = 3.267 acres.
- This survey was made on the ground.
- 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.
- Elevation datum is based on NGVD 29 data.  
HSJ Benchmark is located Top of Nail (AS SHOWN ON SURVEY)  
Elevation = 920.50
- The "Property" as described is internally contiguous and contains no gaps or gores.
- Sanitary and water services will need to be connected to the site prior to building permit approval.



SCALE: 1 INCH = 30 FEET

## REVISIONS

Date:	per comments
9/27/16	add trees
10/26/16	add utility notes per comments
12/16/16	

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

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

Date: August 31, 2016

## PRELIMINARY PLAT OF TONY'S ADDITION

For:

HASSAN  
TAHIR

## SITE:

9597 SANDRA LANE

MINNETONKA, MINNESOTA

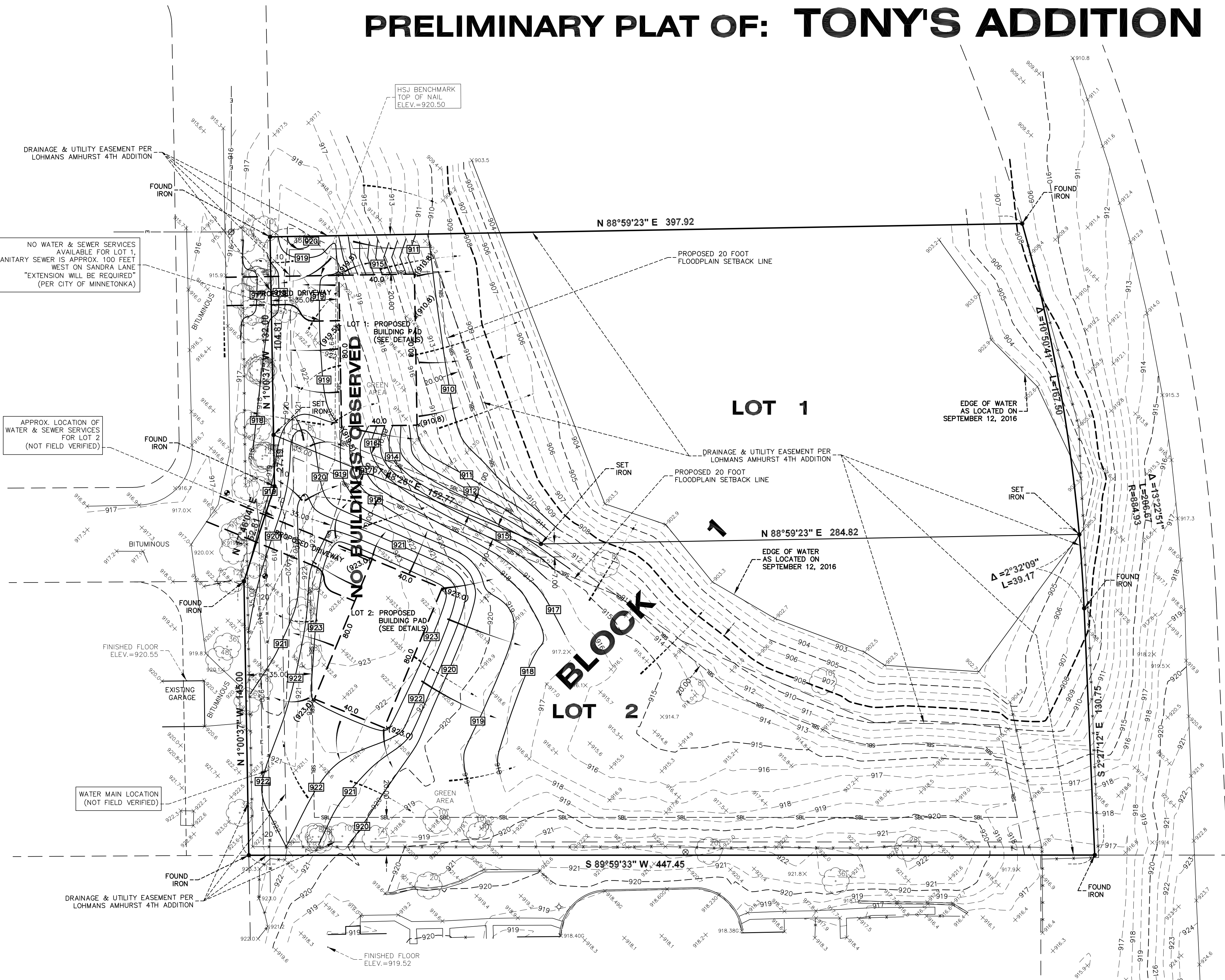
HENNEPIN COUNTY

HARRY S. JOHNSON CO., INC.  
LAND SURVEYORS

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

www.hsjsurveyors.com

Book 648	File No. 1-3-9429PP
Page 27	W.O. Number 2016349
CAD Technician CT	
Sheet No. 1 OF 1	



**SITE ADDRESS**  
9597 Sandra Lane  
Minnetonka, Minnesota 55305

**OWNER**  
Hassan Tahir  
**CONTACT**  
Larry Fidler (651) 307-3487  
750 South Plaza Drive  
Suite 221  
Eagan, Minnesota 55120

**SURVEYOR**  
Harry S. Johnson Co., Inc.  
**CONTACT**  
Tom Hodorf (952) 884-5341  
9063 Lyndale Avenue South,  
Bloomington, Minnesota 55420

**LEGEND**

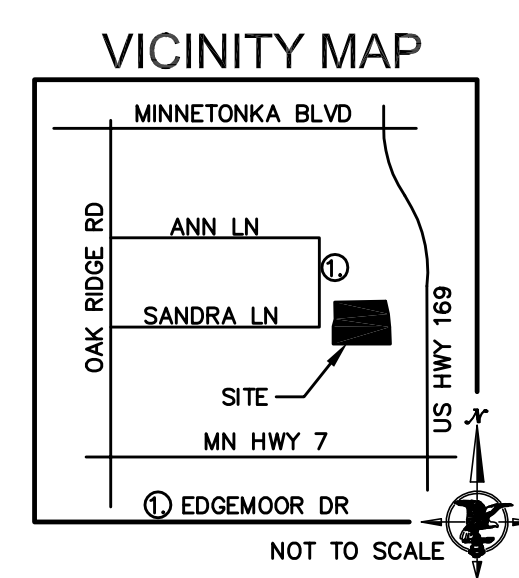
	Found Property Corner (Minn. Reg. No. 23677)
	Set Property Corner (Minn. Reg. No. 23677)
	Concrete Curb
	Fence
	Overhead Electric
	Underground Electric
	Underground Telephone
	Water
	Gas
	Sanitary Sewer
	Storm Sewer
	Setback Line
	Power Pole
	Hydrant
	Unknown Manhole
	Gate Valve
	Deciduous Tree (Dia. in. in.)
	Sanitary Manhole
	Storm Manhole
	Existing Contour
	Existing Spot Elev. Gutter
	Existing Spot Elevation
	Proposed Contour
	Proposed Spot Elevation
	Proposed Drainage Arrow (2.0% MIN.)
	Existing Drainage Arrow

**TREE INVENTORY:**  
The site has 23 measurable deciduous trees (greater than 8", species unknown).  
Trees shown on survey.

**PROPOSED HOUSE PAD DETAILS:**

**LOT 1: House with walkout**  
TOP OF BLOCK = 920.00  
FIRST FLOOR = 921.69  
BASEMENT FLOOR = 911.29  
\*Assuming a full 8'-10" basement, 18.75" joist-subfloor, 1.5" sill plate.  
\*\*Verify dimensions and elevations per latest house plan prior to construction.

**LOT 2: House with full basement**  
TOP OF BLOCK = 923.50  
FIRST FLOOR = 925.19  
BASEMENT FLOOR = 914.79  
\*Assuming a full 8'-10" basement, 18.75" joist-subfloor, 1.5" sill plate.  
\*\*Verify dimensions and elevations per latest house plan prior to construction.



NO WATER & SEWER SERVICES AVAILABLE FOR LOT 1, SANITARY SEWER IS APPROX. 100 FEET WEST ON SANDRA LANE "EXTENSION WILL BE REQUIRED" (PER CITY OF MINNETONKA)

APPROX. LOCATION OF WATER & SEWER SERVICES FOR LOT 2 (NOT FIELD VERIFIED)

WATER MAIN LOCATION (NOT FIELD VERIFIED)

DRAINAGE & UTILITY EASEMENT PER LOHMANS AMHURST 4TH ADDITION

**Buildable Areas**

**Trail Easement**

**100-Year Floodplain**

**LOT 1**

**BLOCK LOT 2**

**NO BUILDINGS OBSERVED**

LOT 1: PROPOSED BUILDING PAD (SEE DETAILS)

LOT 2: PROPOSED BUILDING PAD (SEE DETAILS)

N 88°59'23" E 397.92

N 88°59'23" E 284.82

S 89°59'33" W 447.45

EDGE OF WATER AS LOCATED ON SEPTEMBER 12, 2016

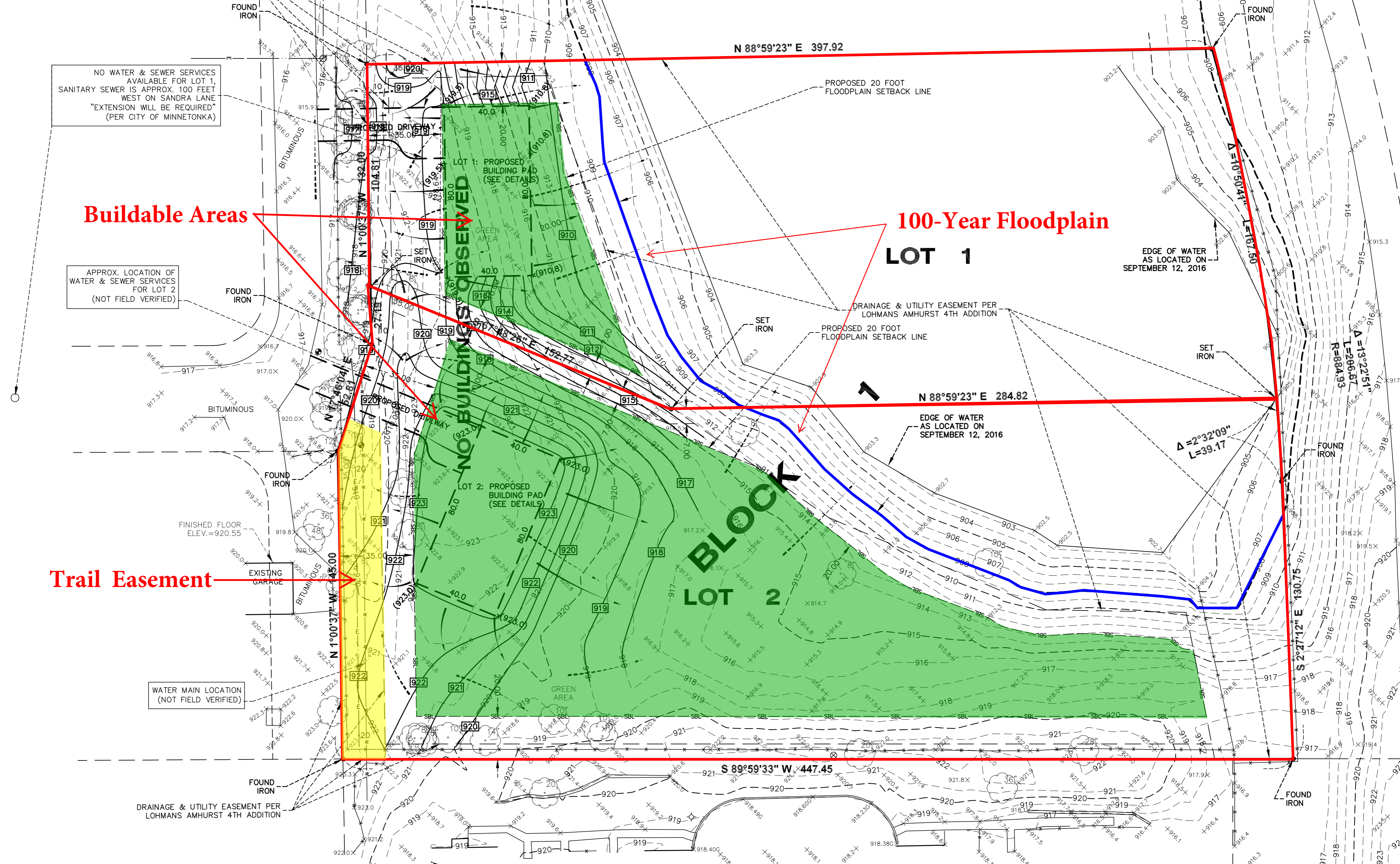
EDGE OF WATER AS LOCATED ON SEPTEMBER 12, 2016

S 2°27'12" E 130.75

$\Delta = 2^{\circ}32'09"$   
L=39.17

$\Delta = 13^{\circ}22'51"$   
L=206.57  
R=84.93

$\Delta = 10^{\circ}50'41"$   
L=167.50



- High-Priority Tree
- Significant Tree



DRAINAGE & UTILITY EASEMENT PER LOHMANS AMHURST 4TH ADDITION

NO WATER & SEWER SERVICES AVAILABLE FOR LOT 1, SANITARY SEWER IS APPROX. 100 FEET WEST ON SANDRA LANE "EXTENSION WILL BE REQUIRED" (PER CITY OF MINNETONKA)

APPROX. LOCATION OF WATER & SEWER SERVICES FOR LOT 2 (NOT FIELD VERIFIED)

WATER MAIN LOCATION (NOT FIELD VERIFIED)

HSJ BENCHMARK  
TOP OF NAIL  
ELEV.=920.50

N 88°59'23" E 397.92

PROPOSED 20 FOOT FLOODPLAIN SETBACK LINE

LOT 1

EDGE OF WATER AS LOCATED ON SEPTEMBER 12, 2016

DRAINAGE & UTILITY EASEMENT PER LOHMANS AMHURST 4TH ADDITION

PROPOSED 20 FOOT FLOODPLAIN SETBACK LINE

N 88°59'23" E 284.82

EDGE OF WATER AS LOCATED ON SEPTEMBER 12, 2016

BLOCK  
LOT 2

NO BUILDINGS OBSERVED

LOT 2: PROPOSED BUILDING PAD (SEE DETAILS)

LOT 1: PROPOSED BUILDING PAD (SEE DETAILS)

$\Delta = 2^{\circ}32'09"$   
L=39.17

$\Delta = 13^{\circ}22'51"$   
L=206.67  
R=384.93

$\Delta = 10^{\circ}50'41"$   
L=167.50

S 22°27'12" E 130.75

S 89°59'33" W 447.45

DRAINAGE & UTILITY EASEMENT PER LOHMANS AMHURST 4TH ADDITION

FOUND IRON

FOUND IRON

FOUND IRON

FOUND IRON

EXISTING GARAGE

FOUND IRON

FOUND IRON

FOUND IRON

SET IRON

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**Subject Property**

**Proposed Easement**

**Bus Stops**

**Lohman's  
Amburst  
Townhomes**

**Bus Route**

**Minnetonka  
City  
Boundary**

Chippewa Ave N  
Delta Ave N  
34th St W  
Oak Ridge Rd  
Lahti Ln  
Caynor St  
Ann Ln  
Sandra Ln  
St Johns Rd  
Oak Ridge Trl  
Cottage Dns  
Park Ter  
Bridle Ln  
Illey Way  
Edgemoor Dr  
Hillsboro Ave  
Minnehaha Ct Minnetonka  
Minnetonka Ave  
FL  
169  
36th St W  
Lohman's Amburst Ave C  
Cottonwood Ave C

## Drew Ingvalson

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**From:** Nancy Kallestad [REDACTED]  
**Sent:** Tuesday, December 27, 2016 2:33 PM  
**To:** Drew Ingvalson  
**Subject:** 9597 Sandra lane

My name is Nancy Kallestad ...I am the property owner at 9602 Ann lane.

When I first moved in back in aprrx 1990 or 91 the property to my east and along Hwy 169 over to the Amhurst development was annexed from St Louis Park by Minnetonka to allow access and control to the aprrx 4 acre site....at that time to keep the density low it was divided into 2 2 acre parcels (this was prompted by a 14 unit townhome proposal)

Why has this changed? The notice I received today is the first notice of any proposed subdivision of the remaining parcel.....and since it states any comments must be in by tomorrow, I'm e-mailing you....the notice says the preliminary AND final approval is slated to be dicussed at the planning commission mtg on Jan 5. What has changed that would allow more than a SINGLE single family home on that site.....and it's my understanding that without extensive fill it is a "dirty" site and would require a slab home. ie no foundation could be dug.

I'm disappointed that the original agreement appears to have scrapped with out any neighborhood input....it would not have been agreed to in the 1st place had we known that it could be changed..WITHOUT notifying the people affected.

I'm well aware that this is probably going to happen whether I like it or not but I want to go on record as crying FOUL....and shame on all of you for a very poor job of communicating the potential changes

**Resolution No. 2017-\_\_\_\_**

**Resolution approving preliminary and final plats of  
TONY'S ADDITION at 9597 Sandra lane**

---

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

Section 1. Background.

- 1.01 James Yacoub, applicant, representing Tahir Hassan (property owner), has requested preliminary and final plat approval of TONY'S ADDITION, a two lot residential subdivision.
- 1.02 The property is located at 9597 Sandra Lane. It is legally described as follows:  
  
Lot 2, Block 1, Lohman's Amhurst 4<sup>th</sup> Addition, Hennepin County, Minnesota
- 1.03 On January 5, 2017, the planning commission held a hearing on the proposed plat. The applicant was provided the opportunity to present information to the commission. The commission considered all of the comments received and the staff report, which are incorporated by reference into this resolution. The commission recommended that the city council grant preliminary and final plat approval.

Section 2. General Standards.

- 2.01 City Code §400.030 outlines design standards for residential subdivisions. These requirements are incorporated by reference into this resolution.

Section 3. Findings.

- 3.01 The proposed preliminary and final plats meet the design requirements as

outlined in City Code §400.030.

Section 4. Council Action.

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

1. Prior to the release of the final plat for recording purposes:

a) Submit the following:

- 1) Revised final plat drawing with easement legend and easement dedication clause.
- 2) Two sets of mylars for city signatures.
- 3) An electronic CAD file of the plat in microstation or DXF.
- 4) Park dedication fee of \$5,000.
- 5) Title evidence that is current within thirty days before release of the final plat for the city attorney's review and approval.
- 6) Complete trail easement document that provides a 20-foot wide trail easement along the west property line of Lot 2, Block 1.

b) This resolution must be recorded with Hennepin County.

2. Prior to issuance of a building permit for each lot:

- a) Soil testing may be required at the request of the building official.
- b) Submit a letter from the surveyor stating that boundary and lot stakes have been installed as required by ordinance.
- c) Submit a final utility plan. The plan must:
  - 1) Show existing water main and water services.
  - 2) Show proposed water service for Lot 1.

- 3) Illustrate sanitary sewer main extended east on Sandra Lane to Ann Lane culminating in a manhole. New sewer services must be extended to each lot.
  - 4) Note that all roadway disturbances for utility installation must be repaired to city standard.
- d) Submit final tree preservation and grading plan subject to staff approval. The plan must show house, drive, utilities, grading and other improvements located to minimize tree impacts and must specifically comply with the following:
- 1) Grading must be adjusted away from the west lot line to minimize impacts to the adjacent large oak trees.
  - 2) Driveways and utility services must be located to prevent loss of the three large basswood trees at the front of the site.
  - 3) No more than 35% of the site's high-priority trees may be removed in total. Currently, no more than 3 high-priority trees in total may be removed across both lots. No more than one high-priority tree may be removed from Lot 2 (southern lot) and no more than two high-priority trees may be removed from Lot 1 (northern lot), unless a complete grading and tree preservation plan is approved by the city for both lots showing how no more than 3 high-priority trees in total would be removed.
  - 4) Raingardens and any other stormwater management practices must be adjusted to minimize tree impacts.

No site work (grading, tree removal, etc.) may begin prior to issuance of a building permit for each lot unless otherwise authorized by city staff.

- e) Submit a stormwater management plan for review and approval of the city engineer.
- 1) Stormwater management is required for each single-family home. Each lot is responsible for capturing one inch of runoff volume over the site's impervious

surface.

- 2) Drainage must not be directed towards the neighboring property to the west of Lot 2. Existing conditions must be maintained and drainage must be directed toward the street.
  - f) Submit 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.
  - g) Submit a right-of-way permit for all work within the city's right-of-way.
  - h) Submit cash escrow in the amount to be determined by city staff. The escrow must be accompanied by a document prepared by the city attorney and signed by the builder and property owner. Through this document the builder and property owner will acknowledge:
    - The property will be brought into compliance within 48 hours of notification of a violation of the construction management plan, other conditions of approval or city code standards; and
    - If compliance is not achieved, the city will use any or all of the escrow dollars to correct any erosion and/or grading problems.
  - i) 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.
  - j) Submit all required hook-up fees.
  - k) Submit proof of subdivision registration and transfer of NPDES permit.
3. All lots and structures within the development are subject to all R-1 zoning standards.
  4. Permits may be required from other agencies including Hennepin County, Minnehaha Creek Watershed District, and the MPCA. It is

the applicant's or property owner's responsibility to obtain all necessary permits.

5. During construction, the streets must be kept free of debris and sediment.
6. Unless the city council approves a time extension, the final plat must be recorded by January 23, 2018.

Adopted by the City Council of the City of Minnetonka, Minnesota, on January 23, 2017.

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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 duly authorized meeting held on January 23, 2017.

---

David E. Maeda, City Clerk

**MINNETONKA PLANNING COMMISSION**  
**January 5, 2017**

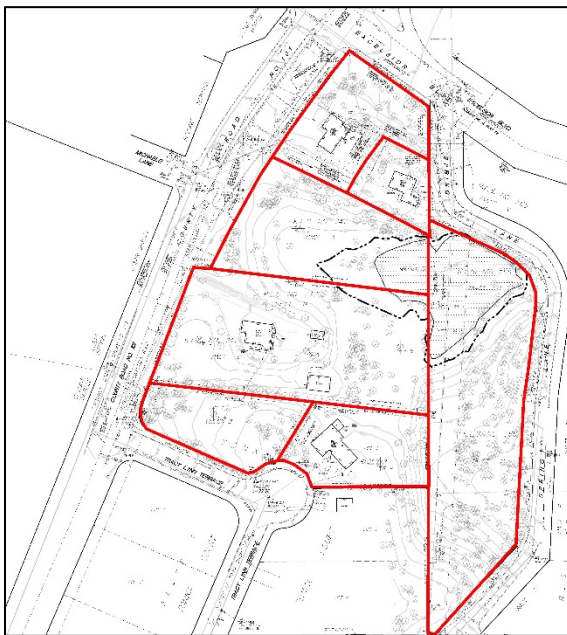
<b>Brief Description</b>	Preliminary and final plats for a five lot subdivision at 5325 County Road 101, 5311 Tracy Lynn Terrace, and 5320 Spring Lane.
<b>Recommendation</b>	Recommend the city council adopt the resolution approving the preliminary and final plats.

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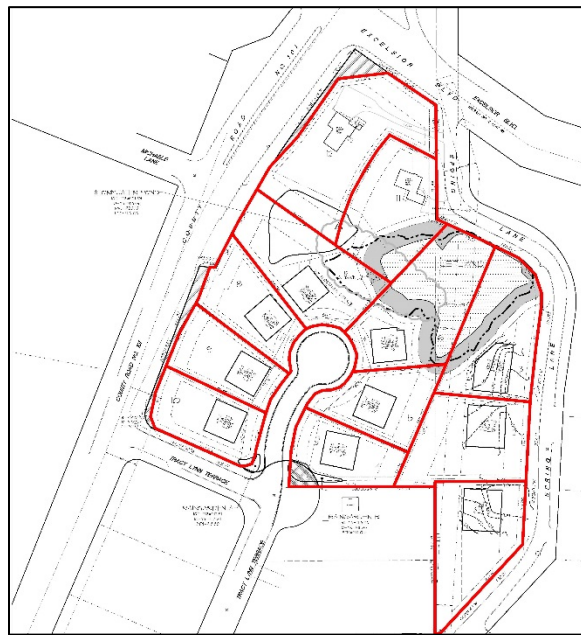
**Background**

In June 2015, the city council approved the preliminary plat of SAVILLE WEST. The plat, which involved seven existing lots, proposed to create twelve lots. Seven R-1A lots would be accessed via a new cul-de-sac and five R-1 lots would access Spring Lane.

**PRE-DEVELOPMENT**



**APPROVED PLAT**



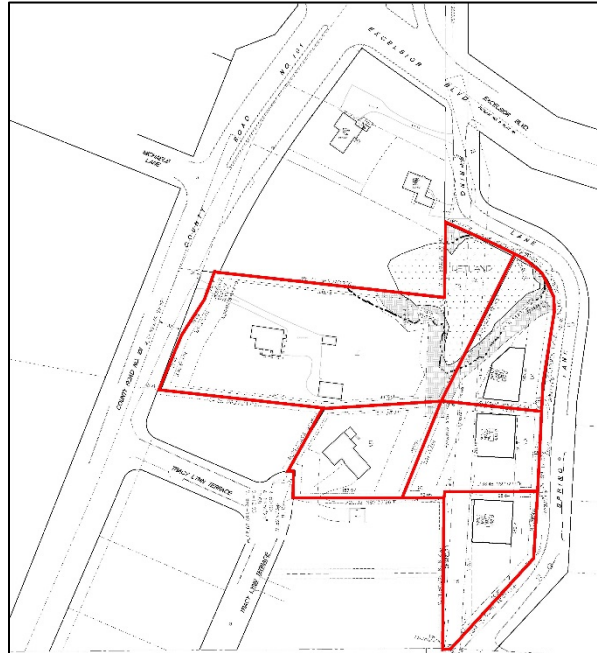
In September 2015, the city council approved the final plat of SAVILLE WEST. The final plat was not recorded.

In August 2016, the city council approved a twelve-month extension of the SAVILLE WEST final plat. The final plat has yet to be recorded.



**Proposal Summary**

Lakewest Development has decided not to move forward with development of the R-1A portion of the previously approved plat at this time. Rather, they have submitted new preliminary and final plats. The submitted plats involve the division of three existing lots into five new lots. Two existing homes would remain on two of the lots and three new home sites would be created on Spring Lane. Essentially, the proposed plat would result in the creation of the three Spring Lane lots previously approved in the SAVILLE WEST subdivision.



**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 SAVILLE WEST and staff’s findings.

- **Are the proposed lots reasonable?**

Yes. In conjunction with the review and approval of the SAVILLE WEST subdivision, the city approved rezoning of a portion of the site to R-1A. However, various required legal documents, final construction plans, and financial guarantees were never submitted. The city did not publish or record the rezoning ordinance pending receipt of the required items. As such, the properties retain their R-1 zoning.

The proposed lots would meet all R-1 lot standards as outlined in the subdivision and zoning ordinances.

LOT	AREA		WIDTH		DEPTH
	Total	Buildable	ROW	Setback	
CODE	22,000 sq.ft.	3,500 sq.ft.	80 ft / 65 ft cul-de-sac bulb*	110 ft	125 ft
1	22,050 sq.ft.	5,930 sq.ft.	95 ft	160 ft	135 ft
2	22,055 sq.ft.	5,975 sq.ft.	115 ft	120 ft	170 ft
3	22,100 sq.ft.	4,145 sq.ft.	150 ft	120 ft	130 ft

<b>4</b>	78,265 sq. ft.	45,064 sq. ft.	185 ft	185 ft	+385 ft
<b>5</b>	23,265 sq. ft.	12,015 sq. ft.	71 ft*	94 ft	158 ft

\* Lot 5 has frontage on a code defined cul-de-sac bulb

- **Are the anticipated site impacts acceptable?**

Yes. A new grading plan was not submitted with the current application. Rather, staff evaluated the general grading plan submitted for SAVILLE WEST. That plan suggests some grading and tree removal would occur to accommodate the three new homes along Spring Lane. Generally, fill would be added to the east side of the lots in the location of proposed driveways and at the front of the proposed homes. This earthwork would result in removal or significant impact to a total of 20 or 15% of the high-priority trees.

To meet city and Riley Purgatory Bluff Creek Watershed district stormwater rules, stormwater management practices must be constructed to account for all impervious surface on the entirety of the site; this includes the two properties on which two existing homes would remain. The practices could include individual infiltration basins or a larger stormwater system. To address stormwater management, and the grading and associated tree removal, the resolution contains the following as conditions of approval:

- A specific stormwater management plan for the entirety of the plat must be submitted for review and approval prior to release of the final plat. Removal of high-priority trees will not be permitted to accommodate stormwater management on lots where existing homes will remain; and
- Financial security must be submitted to ensure construction and functionality of all stormwater practices.

### **Summary Comments**

Though the city previously reviewed and approved a much larger subdivision for the general area, and a though subdivision consistent with that previously plan may again be proposed in the future, the city must review the current proposal as its own "standalone" subdivision request. While the previous approvals on the site add complexity to the properties' history, the proposed subdivision itself is quite straight forward.

**Staff Recommendation**

Recommend that the city council adopt the resolution approving the preliminary and final plats for a five lot subdivision generally located at the southeast quadrant of the County Road 101/Excelsior Boulevard intersection.

Originator: Susan Thomas, AICP, Assistant City Planner

Through: Loren Gordon, AICP, City Planner

### Supporting Information

#### **Surrounding Land Uses**

Northerly: Excelsior Boulevard and public library beyond  
 Easterly: Single-family residences and public property beyond  
 Southerly: Single-family residences  
 Westerly: County Road 101 and single-family residences beyond.

#### **Planning**

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

#### **Zoning and Vacations**

In conjunction with the review and approval of the SAVILLE WEST subdivision, the city approved a rezoning of a portion of the site to R-1A. However, various required legal documents, final construction plans, and financial guarantees were never submitted. The city did not publish or record the rezoning ordinance pending receipt of the required items. As such, the properties retain their R-1 zoning. Similarly, the city approved vacation of portions of existing right-of-way and drainage and utility easements. However, as a condition of the approval, the vacations were valid only upon the proper filing of SAVILLE WEST. As the plat was never filed, the right-of-way and easements remain in place.

#### **Existing Site**

The existing site is generally located at the southeast quadrant of the County Road 101/Excelsior Boulevard intersection. It is comprised of five properties and is roughly 3.85 acres in area. The high points of the site are situated adjacent to County Road 101 and Spring Lane. From these points, the topography slopes downward in all directions; the maximum change in grade is 22 feet. A manage 1 wetland is located in the northerly portion of the site and mature trees are located throughout. The site's primary trees species include elm, boxelder, ash, cedar and spruce.

#### **Natural Resources: Existing**

The SAVILLE WEST site contains a variety of natural resources.

- **Topography.** Though several areas of the site are visually steep, they are not considered "steep slope" by city code definition. By city code, a "steep slope" is one that: (1) has an average grade of 20% or greater; (2) covers an area at least 100 feet in width; and (3) rises at least 25 feet. If a slope does not meet all three of these standards it is not considered "steep" for the purposes of development and construction regulation. There is no portion of the property

that rises over 25 feet. As such, no area of the property is defined as a “steep slope.”

- **Trees.** The site does not include a woodland preservation area. However, it contains many mature deciduous and coniferous trees including elm, boxelder, ash, cedar and spruce. Of the 252 regulated trees within the currently proposed plat, 136 are defined as high-priority and 116 as significant.
- **Wetland.** There is a roughly 22,000 square foot, Manage I wetland partially located on the site.

**Natural Resources:  
Impact**

To accommodate the proposed plat, site changes will be necessary.

- **Topography and Grading.** A new grading plan was not submitted with the current application. Rather, staff evaluated the grading shown on the previously approved Spring Lane lots. This previous plan suggests fill would be added to the east side of the lots in the location of proposed driveways and at the front of the proposed homes.
- **Trees.** Based on the previously submitted grading plan, several high-priority and significant trees would be removed from the site.

	Existing	Removal	% Removed
<b>High Priority</b>	136	20	14.7%
<b>Significant</b>	116	30	25.9%

It is important to note that the currently proposed subdivision is benefiting from the fact that no impacts are proposed, or will be allowed, to high-priority trees on the two properties on which existing homes are remaining. If subdivision is proposed off of Tracy Lynn Terrace in the future, consistent with the previously reviewed SAVILLE WEST subdivision, that future subdivision would be evaluated based *only upon the property included in the subdivision itself*. The trees on the currently proposed Spring Lane lots would not count “for” or “against” that future subdivision.

- **Wetland.** No alterations are proposed.

**Stormwater**

The proposed subdivision must meet both the both the city's stormwater rule, as well as the standards of the Riley-Purgatory-Bluff Creek Watershed District

1. Volume Control: On-site retention of one inch of runoff over the site's impervious surface is required.
2. Rate Control: Peak flow rates must be limited to those of the existing rates for the 2-, 10-, and 100-year events at all points where stormwater leaves the site.
3. Water Quality: Stormwater must be treated to remove at least 60% of total phosphorus and 90% of total suspended solids (TSS).

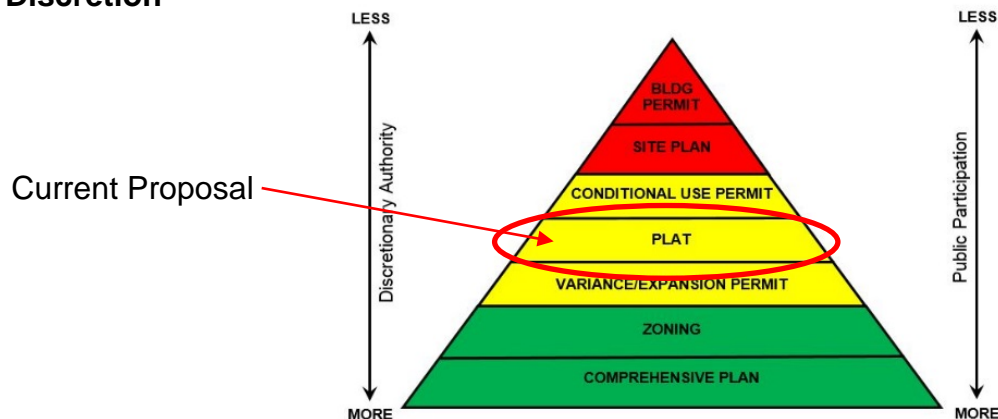
**Outside Agencies**

The applicant's proposal has been submitted to various outside agencies for review, including Hennepin County and Riley-Purgatory-Bluff Creek Watershed District.

**Neighborhood Comments**

The applicant has hosted two neighborhood meetings and the city has sent notice to 88 area property owners. The city has received no written comments to date.

**Pyramid of Discretion**



**Motion Options**

The planning commission has three options:

1. Concur with the staff recommendation. In this case a motion should be made recommending the city council adopt the resolutions approving the plats
2. Disagree with staff's recommendation. In this case, a motion should be made recommending the city council deny the

proposal. This motion must include a statement as to why denial is recommended.

3. Table the request. In this case, a motion should be made to table the item. The motion should include a statement as to why the request is being tabled with direction to staff, the applicant, or both.

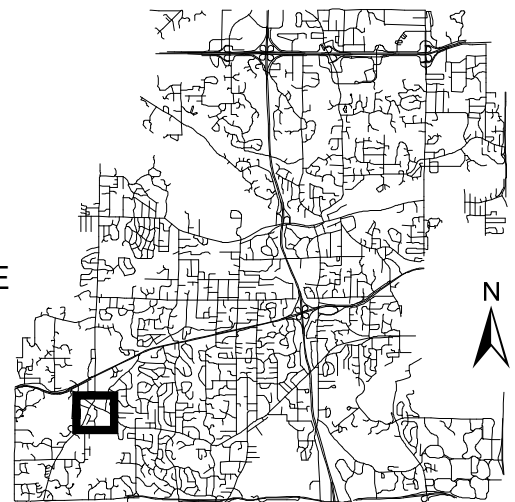
**Voting Requirement** The planning commission will make a recommendation to the city council. A recommendation for approval requires an affirmative vote of a simple majority. The city council's final approval requires an affirmative vote of a simple majority.

**Deadline for Decision** March 14, 2017



### LOCATION MAP

SAVILLE 2ND ADDITION  
TRACY LYNN TERRACE/SPRING LANE  
#14002.16b

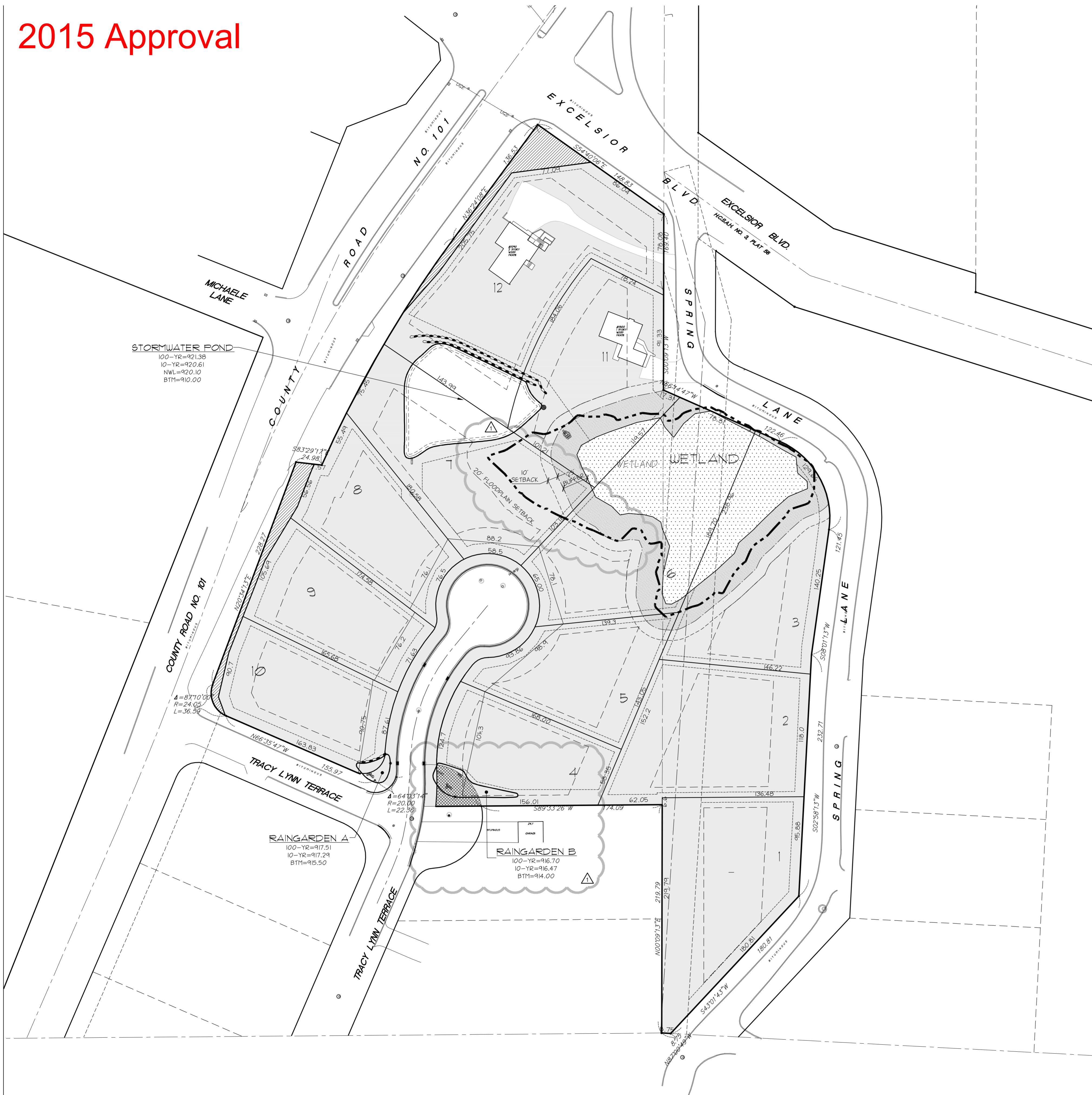


This map is for illustrative purposes only.

SAVILLE WEST



# 2015 Approval



### SITE PLAN NOTES

- OBTAIN ALL NECESSARY PERMITS FOR CONSTRUCTION WITHIN OR USE OF, PUBLIC RIGHT-OF-WAY.
- THE DIGITAL FILE CAN BE OBTAINED FROM THE ENGINEER, SHALL BE USED FOR STAKING. DISCREPANCIES BETWEEN THE DRAWINGS AND THE DIGITAL FILE SHALL BE REPORTED TO THE ENGINEER. THE BUILDING FOOTPRINT, AS SHOWN ON THESE DRAWINGS, AND THE DIGITAL FILE, SHALL BE COMPARED TO THE STRUCTURAL DRAWINGS PRIOR TO STAKING.
- DIMENSIONS SHOWN ARE TO FACE OF CURB AND EXTERIOR FACE OF BUILDING FOUNDATION UNLESS NOTED OTHERWISE.



### AREA SUMMARY

TOTAL GROSS AREA = 6.18 AC  
 • RIGHT OF WAY AREA  
 COUNTRY ROAD 101 = 0.11 AC  
 TRACY LYNN CUL-DE-SAC = .35 AC  
 NET AREA = 5.73

TOTAL SINGLE FAMILY LOTS = 12 UNITS  
 GROSS DENSITY = 1.95 UNITS/AC  
 NET DENSITY = 2.07 UNITS/AC

### LOT SUMMARY

PARCEL ID:	PARCEL SIZE:	PROPOSED ZONING:
LOT 1	22,051 S.F.	R1
LOT 2	22,056 S.F.	R1
LOT 3	24,175 S.F.	R1
LOT 4	15,001 S.F.	R1A
LOT 5	15,105 S.F.	R1A
LOT 6	27,088 S.F.	R1A
LOT 7	23,940 S.F.	R1A
LOT 8	15,063 S.F.	R1A
LOT 9	15,010 S.F.	R1A
LOT 10	15,077 S.F.	R1A
LOT 11	22,150 S.F.	R1
LOT 12	32,512 S.F.	R1

### ZONING SUMMARY

THE PROPERTY IS CURRENTLY ZONED (R-1) LOW DENSITY RESIDENTIAL

THE PROPERTY IS BEING REZONED (R-1) LOW DENSITY RESIDENTIAL AND (R-1A) LOW DENSITY RESIDENTIAL ALTERNATIVE.

(R-1) LOW DENSITY RESIDENTIAL

BUILDING SETBACK INFORMATION IS AS FOLLOWS  
 FRONT YARD = 35 FT.  
 REAR = 40 FT. OR 20% OF DEPTH OF LOT, WHICHEVER IS LESS  
 SIDE = 10 FT.

LOT COVERAGE INFORMATION IS AS FOLLOWS  
 LOT AREA MINIMUM = 22,000 S.F. = .50 ACRE  
 LOT WIDTH MINIMUM = 110 FT. AT FRONT YARD  
 MAX. IMPERVIOUS COVERAGE = 50%

(R-1A) LOW DENSITY RESIDENTIAL ALTERNATIVE

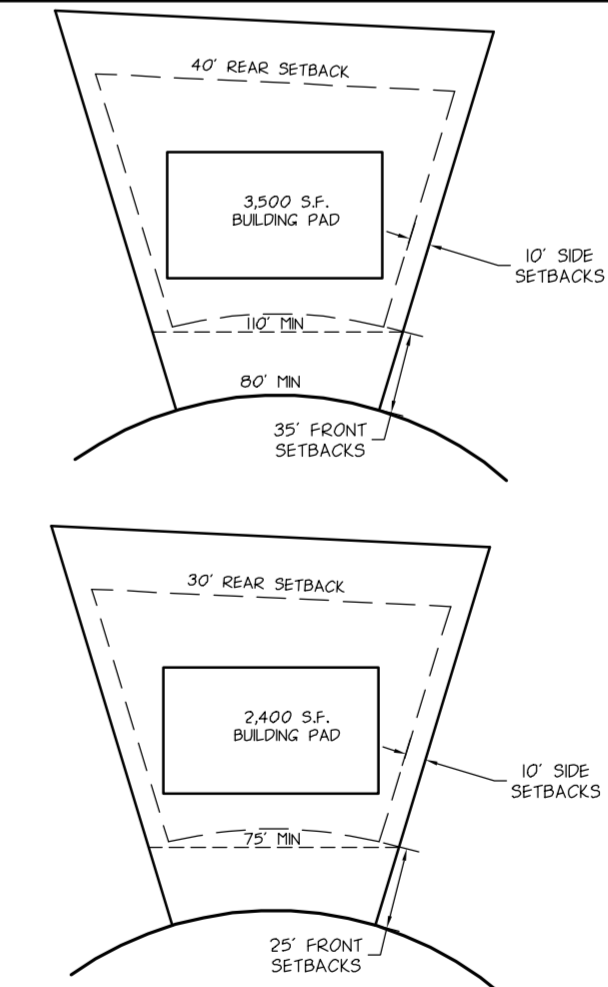
BUILDING SETBACK INFORMATION IS AS FOLLOWS  
 FRONT YARD = 25 FT.  
 REAR = 30 FT. OR 20% OF DEPTH OF THE LOT, MINIMUM OF 25 FT.  
 SIDE = 10 FT.

LOT COVERAGE INFORMATION IS AS FOLLOWS  
 LOT AREA MINIMUM = 15,000 S.F. = 0.35 ACRE  
 LOT WIDTH MINIMUM = 75 FT.  
 MAX. IMPERVIOUS COVERAGE = 50%

### WETLAND INFORMATION

WETLAND - TYPE: MANAGE 1  
 MIN. WETLAND BUFFER AREA = 25'  
 WETLAND BUFFER SETBACK = 10'

### TYPICAL LOT LAYOUT



### DEVELOPER

LAKE WEST DEVELOPMENT CO., LLC.  
 15400 HIGHWAY 7  
 MINNETONKA, MN 55345  
 TEL: (952)930-3000

### MUNICIPALITY

City of  
**minnetonka**

### PROJECT

**SAVILLE WEST**  
 MINNETONKA, MN

### SHEET INDEX

SHEET	TITLE
C01	CIVIL TITLE SHEET
C02	PRELIMINARY PLAT
C11	EXISTING CONDITIONS
C12	DEMOLITION
C21	SITE PLAN
C31	GRADING, DRAINAGE, PAVING & EROSION CONTROL
C41	UTILITIES-SANITARY AND WATER
C42	UTILITIES-STORM
C61	STREET PLAN AND PROFILE
C71	CIVIL CONSTRUCTION DETAILS
C72	CIVIL CONSTRUCTION DETAILS
C73	CIVIL CONSTRUCTION DETAILS
C74	CIVIL CONSTRUCTION DETAILS
L11	TREE PRESERVATION PLAN
L12	TREE PRESERVATION PLAN
L13	TREE PRESERVATION TABLE
L14	TREE PRESERVATION TABLE
L15	TREE PRESERVATION TABLE
L21	LANDSCAPE PLAN

### REVISION HISTORY

DATE	REVISION	REVIEW
15 JAN 2015	CONCEPTUAL SITE PLAN SUBMITTAL	CNC
27 APR 2015	PRELIMINARY PLAT SUBMITTAL	CNC
04 JUN 2015	CITY COMMENTS	CNC

### PROJECT MANAGER REVIEW

BY: [Signature] DATE: 04-27-15

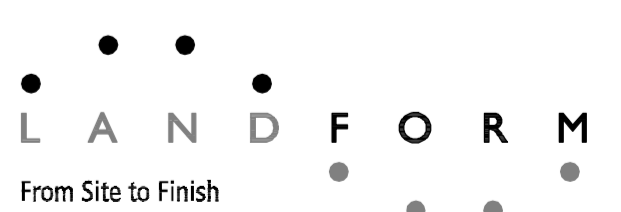
### CERTIFICATION

**PRELIMINARY NOT FOR CONSTRUCTION**

IF THE SIGNATURE, SEAL OR FOUR LINES DIRECTLY ABOVE ARE NOT VISIBLE, THIS SHEET HAS BEEN REPRODUCED UNAUTHORIZED. READABILITY AND IS NO LONGER A VALID DOCUMENT. PLEASE CONTACT THE ENGINEER TO REQUEST ADDITIONAL DOCUMENTS.

### CITY COMMENTS

06-09-15



105 South Fifth Avenue Tel: 612-252-9070  
 Suite 513 Fax: 612-252-9077  
 Minneapolis, MN 55401 Web: landform.net

FILE NAME: C201LWD001.DWG

PROJECT NO.: LWD14001

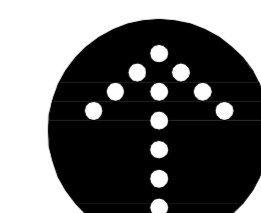
### SITE PLAN

**C2.1**

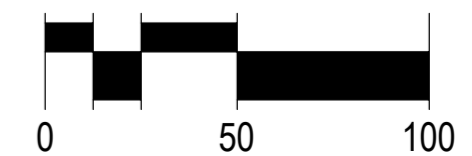
SHEET NO. 1404958



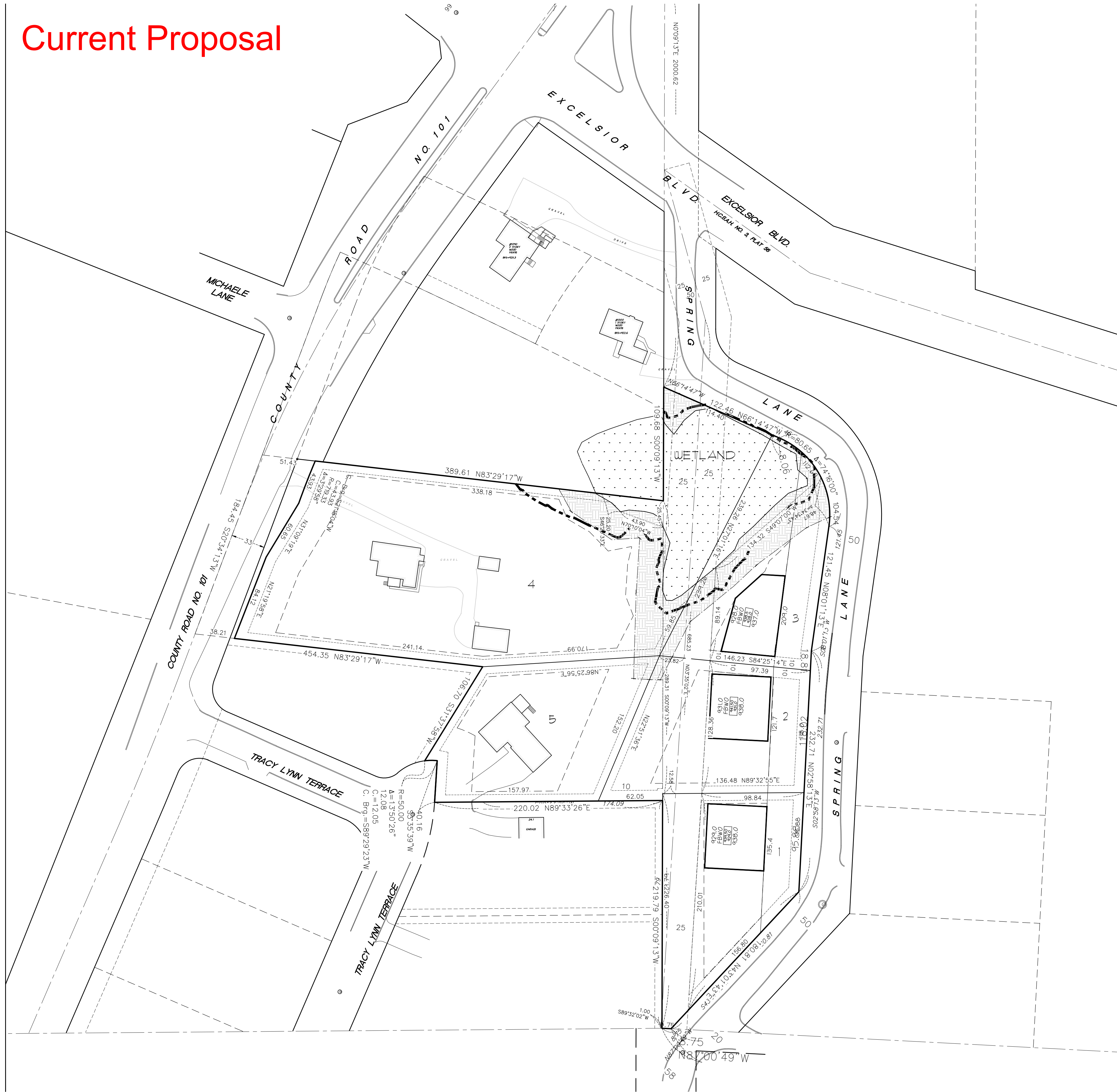
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NORTH



# Current Proposal



### BENCHMARK

TOP OF NUT OF FIRE HYDRANT WEST SIDE OF SPRING LANE OPPOSITE HOUSE NO. 5325  
ELEVATION = 939.48 FEET.  
TOP OF NUT OF FIRE HYDRANT AT JENNIFER LANE AND SPRING LANE  
ELEVATION = 906.06 FEET  
TOP OF NUT OF FIRE HYDRANT WEST SIDE OF COUNTY ROAD 101 1ST HYDRANT  
NORTH OF TRACY LYNN TERRACE.  
ELEVATION = 936.66 FEET.

### SITE SUMMARY

TOTAL NUMBER OF LOTS: 5 LOTS  
TOTAL PLATTED AREA: x.xx ACRES

### ZONING AND SETBACK SUMMARY

THE PROPERTY IS CURRENTLY ZONED (R-1) LOW DENSITY RESIDENTIAL  
THE PROPERTY IS BEING REZONED (R-1) LOW DENSITY RESIDENTIAL AND (R-1A) LOW DENSITY RESIDENTIAL ALTERNATIVE.  
(R-1) LOW DENSITY RESIDENTIAL  
BUILDING SETBACK INFORMATION IS AS FOLLOWS  
FRONT YARD = 35 FT.  
REAR = 40 FT. OR 20% OF DEPTH OF LOT, WHICHEVER IS LESS  
SIDE = 10 FT.  
LOT COVERAGE INFORMATION IS AS FOLLOWS  
LOT AREA MINIMUM = 22,000 SQ. FT. = .50 ACRE  
LOT WIDTH MINIMUM = 110 FT. AT FRONT YARD  
MAX. IMPERVIOUS COVERAGE = 50%

### PROPOSED LOT AREAS

LOT	AREA (SQ. FT.)	AREA (ACRES)
LOT 1, BLOCK 1, SAVILLE ADDITION	22,053 SQ. FT.	0.51 ACRES
LOT 2, BLOCK 1, SAVILLE ADDITION	22,056 SQ. FT.	0.51 ACRES
LOT 3, BLOCK 1, SAVILLE ADDITION	22,101 SQ. FT.	0.51 ACRES
LOT 4, BLOCK 1, SAVILLE ADDITION	78,267 SQ. FT.	1.80 ACRES
LOT 5, BLOCK 1, SAVILLE ADDITION	23,265 SQ. FT.	0.53 ACRES
<b>TOTAL</b>	<b>167,742 SQ. FT.</b>	<b>3.85 ACRES</b>

### WETLAND INFORMATION

WETLAND - TYPE: MANAGE I  
MN. WETLAND BUFFER AREA = 20'  
AVG. WETLAND BUFFER AREA = 40'  
WETLAND BUFFER SETBACK = 10'

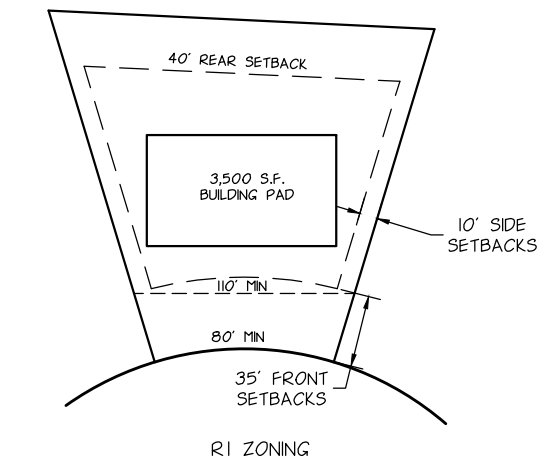
### SURVEY NOTE

BACKGROUND INFORMATION SHOWN IS FROM SURVEY BY SUNDE LAND SURVEYING ON DECEMBER 13TH, 2014, EXPRESSLY FOR THIS PROJECT; CITY OF MINNETONKA, MINNESOTA RECORD DRAWINGS; AND UTILITY SERVICE PROVIDERS. LANDFORM OFFERS NO WARRANTY, EXPRESSED OR WRITTEN, FOR INFORMATION PROVIDED BY OTHERS. EXISTING PROJECT CONDITIONS SHALL BE VERIFIED PRIOR TO BEGINNING CONSTRUCTION. ERRORS, INCONSISTENCIES, OR OMISSIONS DISCOVERED SHALL BE REPORTED TO THE ENGINEER IMMEDIATELY.

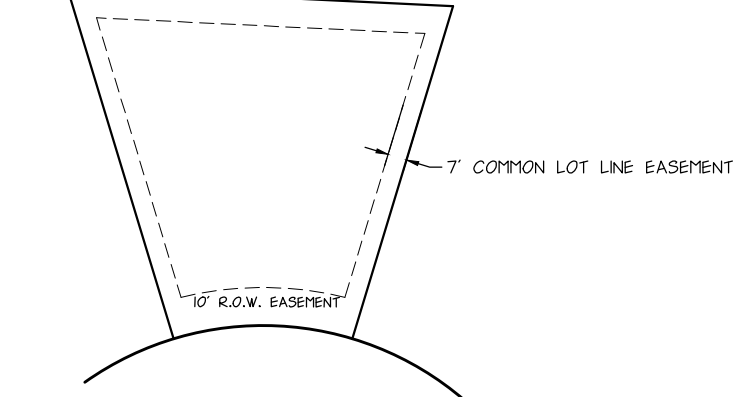
### LEGEND

--- 100-YR FLOODPLAIN

### TYPICAL LOT LAYOUT



### TYPICAL EASEMENTS



### DEVELOPER

LAKE WEST DEVELOPMENT CO., LLC.  
15400 HIGHWAY 7  
MINNETONKA, MN 55345  
TEL: (952)930-3000

### MUNICIPALITY



### PROJECT

**SAVILLE WEST**  
MINNETONKA, MN

### SHEET INDEX

SHEET	TITLE
C02	PRELIMINARY PLAT

### REVISION HISTORY

DATE	REVISION	REVIEW
04 NOV 2016	PHASE 1 PLAT SUBMITTAL	

### PROJECT MANAGER REVIEW

BY/TS DATE 11-04-16

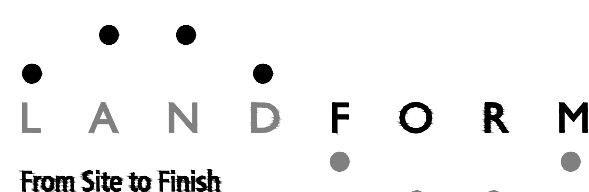
### CERTIFICATION

I hereby certify that this plan was prepared by me under my direct supervision, and that I am a duly Licensed Professional Engineer under the laws of the state of MINNESOTA.  
Randall J. ... License No. 19976  
Signature shown is a scanned copy of the original. A signed copy of this plan on file at Landform Professional Services, LLC office and is available upon request.

IF THE SIGNATURE, SEAL OR FOUR LINES DIRECTLY ABOVE ARE NOT VISIBLE, THIS SHEET HAS BEEN REPRODUCED BEYOND INTENDED READABILITY AND IS NO LONGER A VALID DOCUMENT. PLEASE CONTACT THE ENGINEER TO REQUEST ADDITIONAL DOCUMENTS.

### PHASE 1 PLAT SUBMITTAL

11-04-16



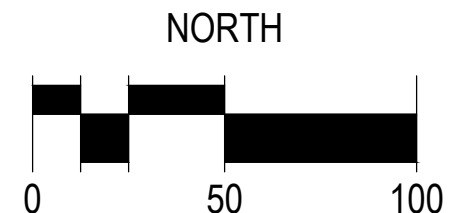
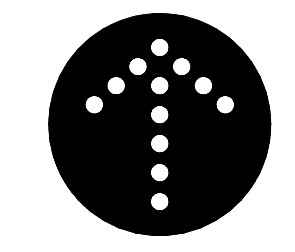
105 South Fifth Avenue Tel: 612-252-9070  
Suite 513 Fax: 612-252-9077  
Minneapolis, MN 55401 Web: landform.net

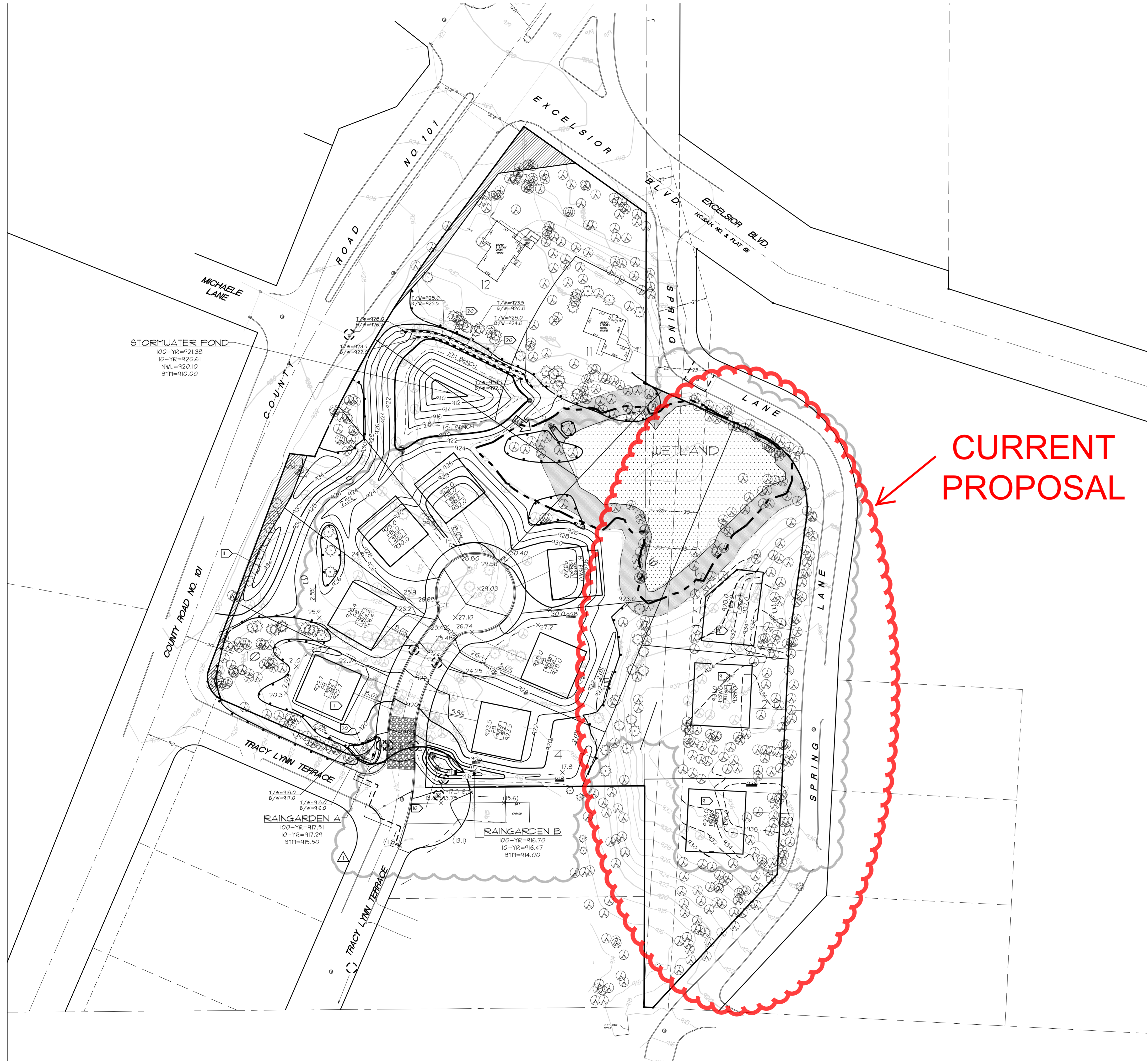
FILE NAME C002LWD001.DWG  
PROJECT NO. LWD14001

PRELIMINARY PLAT  
**C0.2**  
SHEET NO. 1/1



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**GRADING NOTES**

- CONTACT UTILITY SERVICE PROVIDERS FOR FIELD LOCATION OF SERVICES 72 HOURS PRIOR TO BEGINNING GRADING.
- REFER TO THE GEOTECHNICAL REPORT PREPARED BY NORTHERN TECHNOLOGIES INC., DATED 02/18/2015, FOR ADDITIONAL INFORMATION ON BACKFILL MATERIAL AND GROUNDWATER CONDITIONS.
- REMOVE TOPSOIL FROM GRADING AREAS AND STOCKPILE SUFFICIENT QUANTITY FOR REUSE. MATERIALS MAY BE MINED FROM LANDSCAPE AREAS FOR USE ON SITE AND REPLACED WITH EXCESS ORGANIC MATERIAL WITH PRIOR OWNER APPROVAL.
- REMOVE SURFACE AND GROUND WATER FROM EXCAVATIONS. PROVIDE INITIAL LIFTS OF STABLE FOUNDATION MATERIAL IF EXPOSED SOILS ARE WET AND UNSTABLE.
- REFER TO STRUCTURAL SPECIFICATIONS FOR EARTHWORK REQUIREMENTS FOR BUILDING PADS.
- AN INDEPENDENT TESTING FIRM SHALL VERIFY THE REMOVAL OF ORGANIC AND UNSUITABLE SOILS, SOIL CORRECTION, AND COMPACTION AND PROVIDE PERIODIC REPORTS TO THE OWNER.
- PLACE AND COMPACT FILL USING LIFT THICKNESSES MATCHED TO SOIL TYPE AND COMPACTION EQUIPMENT TO OBTAIN SPECIFIED COMPACTION THROUGHOUT THE LIFT.
- COMPACT MATERIAL IN PAVED AREAS TO 95% OF MAXIMUM DRY DENSITY, STANDARD PROCTOR (ASTM D698) EXCEPT THE TOP 3 FEET WHICH SHALL BE COMPACTED TO 100%. COMPACT TO 98% DENSITY WHERE FILL DEPTH EXCEEDS 10 FEET.
- COORDINATE WITH ARCHITECTURAL FOR BUILDING STOOP LOCATIONS, SLOPES SHOWN ON ADJACENT WALKS AND PAVEMENTS SHOULD CONTINUE OVER STOOPS.
- AVOID SOIL COMPACTION OF INFILTRATION PRACTICES. ANY EQUIPMENT USED IN INFILTRATION AREAS SHOULD BE SMALL SCALED AND TRACKED.
- CONTRACTOR TO COORDINATE GRADING OF BERMING WITH WITH GRADING OF COUNTY ROAD 101

**EROSION PREVENTION AND SEDIMENT CONTROL NOTES**

- INSTALL PERIMETER SEDIMENT CONTROLS PRIOR TO BEGINNING WORK AND MAINTAIN FOR DURATION OF CONSTRUCTION. REMOVE CONTROLS AFTER AREAS CONTRIBUTING RUNOFF ARE PERMANENTLY STABILIZED AND DISPOSE OF OFF SITE.
- LIMIT SOIL DISTURBANCE TO THE GRADING LIMITS SHOWN. SCHEDULE OPERATIONS TO MINIMIZE LENGTH OF EXPOSURE OF DISTURBED AREAS.
- MANAGEMENT PRACTICES SHOWN ARE THE MINIMUM REQUIREMENT. INSTALL AND MAINTAIN ADDITIONAL CONTROLS AS WORK PROCEEDS TO PREVENT EROSION AND CONTROL SEDIMENT CARRIED BY WIND OR WATER.
- EXCAVATE PONDS EARLY IN THE CONSTRUCTION SEQUENCE. REMOVE SEDIMENT FROM PONDS PERIODICALLY AND AFTER AREAS CONTRIBUTING RUNOFF ARE PERMANENTLY STABILIZED.
- CONTRACTOR SHALL PREVENT SEDIMENT LADEN WATER FROM ENTERING THE INFILTRATION SYSTEM UNTIL THE SITE IS COMPLETELY STABILIZED.
- ALL EXPOSED SOIL AREAS MUST BE STABILIZED WITHIN 72 HOURS OF COMPLETION OF WORK IN EACH AREA. (IF WITHIN 1 FIFE OF IMPAIRED WATER USE THE FOLLOWING NOTE INSTEAD) ALL EXPOSED SOILS AREAS SHALL BE STABILIZED IMMEDIATELY TO LIMIT SOIL EROSION IN THAT PORTION OF THE SITE WHERE CONSTRUCTION HAS TEMPORARILY OR PERMANENTLY CEASED.
- SEED, SOD, MULCH AND FERTILIZER SHALL MEET THE FOLLOWING SPECIFICATIONS, AS MODIFIED.
 

ITEM	SPECIFICATION NUMBER
SOD	MNDOT 3878
SEED	MNDOT 3876

MN TYPE 22-III @ 30.5 LB/AC - TEMPORARY EROSION CONTROL  
 MN TYPE 25-151 @ 120 LB/AC - PERMANENT TURF

MULCH (MNDOT TYPE 1 @ 2 TON/AC, DISC ANCHORED) MNDOT 3882  
 FERTILIZER MNDOT 3881 MNDOT 2575
- SEE LANDSCAPE SHEETS FOR PERMANENT TURF AND LANDSCAPE ESTABLISHMENT.

**RETAINING WALL NOTES**

- PROVIDE STRUCTURAL DESIGN OF RETAINING WALLS, FOLLOWING LANDFORM RETAINING WALL SPECIFICATIONS FOR MINIMUM DESIGN AND PERFORMANCE. PROVIDE CONSTRUCTION OF WALLS IN ACCORDANCE WITH APPROVED DESIGN.
- CONFIRM ARCHITECTURAL REQUIREMENTS FOR WALL UNITS WITH OWNER.
- SUBMIT DESIGN TO CITY FOR APPROVAL PRIOR TO BUILDING PERMIT ISSUANCE.
- PROVIDE COORDINATION AND ASSURANCE THAT RELATED WORK CONSTRUCTED WITHIN THE REINFORCED EARTH ZONE, INCLUDING FENCES, UNDERGROUND UTILITIES, GUARD RAILS, ETC.; IS IN ACCORDANCE WITH APPROVED DESIGN AND DOES NO DAMAGE TO REINFORCING ELEMENTS OF THE RETAINING WALL.

**NPDES AREA SUMMARY**

	EXISTING	PROPOSED
PERVIOUS	5.72 ACRES	4.76 ACRES
IMPERVIOUS	.35 ACRES	1.33 ACRES
TOTAL	6.07 ACRES	6.07 ACRES

**LEGEND**

SYMBOL	DESCRIPTION	ESTIMATED QUANTITY
	INLET PROTECTION	10 EACH
	SILT FENCE	1803 FEET
	VEHICLE TRACKING PAD	1 EACH
	TIP OUT CURB	
	PAVEMENT SAWCUT	
	CONSTRUCTION LIMITS	
	TOP OF WALL	
	BOTTOM OF WALL	
	100-YR FLOODPLAIN	

**DEVELOPER**

LAKE WEST DEVELOPMENT CO., LLC.  
 15400 HIGHWAY 7  
 MINNETONKA, MN 55345  
 TEL: (652)930-3000

**MUNICIPALITY**

City of  
**minnetonka**

**PROJECT**

**SAVILLE WEST**  
 MINNETONKA, MN

**SHEET INDEX**

SHEET	TITLE
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C0.2	PRELIMINARY PLAN
C1.1	EXISTING CONDITIONS
C1.2	DEMOLITION
C2.1	SITE PLAN
C3.1	GRADING, DRAINAGE, PAVING & EROSION CONTROL
C4.1	UTILITIES-SANITARY AND WATER
C4.2	UTILITIES-STORM
C6.1	STREET PLAN AND PROFILE
C7.1	CIVIL CONSTRUCTION DETAILS
C7.2	CIVIL CONSTRUCTION DETAILS
C7.3	CIVIL CONSTRUCTION DETAILS
C7.4	CIVIL CONSTRUCTION DETAILS
L1.1	TREE PRESERVATION PLAN
L1.2	TREE PRESERVATION PLAN
L1.3	TREE PRESERVATION TABLE
L1.4	TREE PRESERVATION TABLE
L1.5	TREE PRESERVATION TABLE
L2.1	LANDSCAPE PLAN

**REVISION HISTORY**

DATE	REVISION	REVIEW
15 JAN 2015	CONCEPTUAL SITE PLAN SUBMITTAL	CNC
27 APR 2015	PRELIMINARY PLAN SUBMITTAL	CNC
04 JUN 2015	CITY COMMENTS	

**PROJECT MANAGER REVIEW**

BY: [Signature] DATE: 04-27-15

**CERTIFICATION**

**PRELIMINARY NOT FOR CONSTRUCTION**

**CITY COMMENTS**

06-09-15

**LANDFORM**  
 From Site to Finish

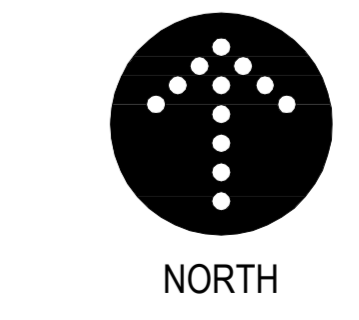
105 South Fifth Avenue Tel: 612-252-9070  
 Suite 513 Fax: 612-252-9077  
 Minneapolis, MN 55401 Web: landform.net

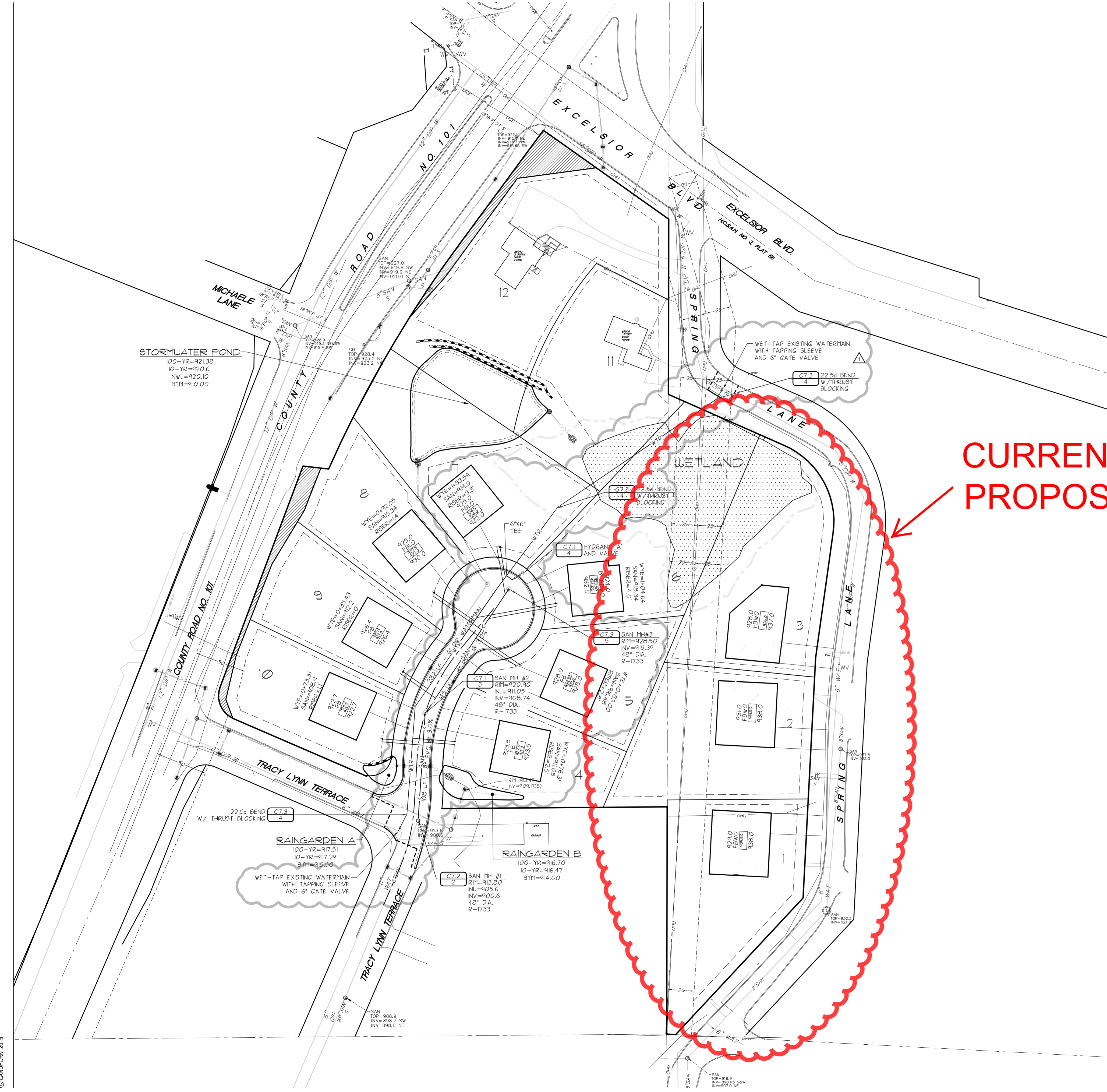
FILE NAME: C302LWD001  
 PROJECT NO.: LWD14001

**GRADING, DRAINAGE AND EROSION CONTROL**

**C3.1**

SHEET NO. 1400135a





**UTILITY NOTES**

- PIPE MATERIALS  
 WATERMAIN: DIP CLASS 52 (ANSI A21.5/AWWA C151), 15" HDPE RINKER MATERIALS 'CSR POLYPE'  
 WATER SERVICE: PVC SDR 35 (ASTM D3034, D2665, & F891)  
 SANITARY SEWER: 4" PVCSDR 26 (ASTM D3034, D2665, & F891)  
 SAN. SEWER SERVICE: HDPE (AASHTO M252; ASTM D2321, F2306)  
 STORM SEWER: RCP 12"-18" CLASS 5 (ASTM C76)
- CONTACT UTILITY SERVICE PROVIDERS FOR FIELD LOCATION OF SERVICES 72 HOURS PRIOR TO BEGINNING.
- COORDINATE WITH PRIVATE UTILITIES TO PROVIDE ELECTRIC, NATURAL GAS, AND COMMUNICATIONS SERVICES TO LOTS.
- PROVIDE MEANS AND MEASURES TO PROTECT ADJACENT PROPERTY FROM DAMAGE DURING UTILITY INSTALLATION.
- PIPE LENGTHS SHOWN ARE FROM CENTER OF STRUCTURE TO CENTER OF STRUCTURE OR END OF END SECTION.
- ADJUST STRUCTURES TO FINAL GRADE WHERE DISTURBED. COMPLY WITH REQUIREMENTS OF UTILITY. MEET REQUIREMENTS FOR TRAFFIC LOADING IN PAVED AREAS.
- INSTALL TRACER WIRE WITH ALL NON-CONDUCTIVE UTILITIES.
- CONNECT TO CITY UTILITIES IN ACCORDANCE WITH CITY OF MINNETONKA STANDARDS.
- CONTACT CITY OF MINNETONKA PUBLIC WORKS AT 952-988-8400 FOR WET TAP INSPECTION.
- MAINTAIN 7.5 FEET OF COVER ON WATER.
- DEFLECT WATER TO MAINTAIN 18-INCH MINIMUM OUTSIDE SEPARATION AT SEWER CROSSINGS. CENTER PIPE LENGTHS TO PROVIDE GREATEST SEPARATION BETWEEN JOINTS.
- CONTACT CITY OF MINNETONKA PUBLIC WORKS AT 952-988-8400 FOR FLUSHING AND PRESSURE TEST INSPECTIONS.
- PROVIDE 4-INCH RIGID FOAM INSULATION ON SANITARY SEWER LESS THAN -5 FEET DEEP.
- CATCH BASINS IN CURB AND GUTTER ARE SUMPED 2 INCHES BELOW THE GUTTER GRADE. REFER TO DETAIL 4 ON SHEET C7.2.
- THE PRIMARY ELECTRIC FEED, TRANSFORMER, AND METER ARE PROVIDED AND INSTALLED BY XCEL ENERGY. THE TRANSFORMER PAD DESIGN IS PROVIDED BY THE UTILITY AND CONSTRUCTION IS BY THE CONTRACTOR. CONTACT UTILITY FOR PAD DETAIL. THE SECONDARY ELECTRIC AND CONDUITS SHALL BE INSTALLED BY THE ELECTRICAL CONTRACTOR.
- CENTER POINT ENERGY WILL FURNISH AND INSTALL GAS SERVICE PIPING FROM THE MAINLINE TO THE METER AND THE METER. GAS SERVICE FROM THE METER SHALL BE INSTALLED BY THE MECHANICAL CONTRACTOR.
- PROVIDE CONDUITS FOR CABLE TELEVISION AND OTHER ELECTRONIC COMMUNICATION.
- CONTRACTOR TO POTHOLE ALL UTILITY CROSSINGS PRIOR TO CONSTRUCTION OF NEW UTILITIES TO VERIFY DEPTHS OF EXISTING LINES. CONTACT ENGINEER IMMEDIATELY IF ANY CONFLICTS ARE DISCOVERED.
- ALL JOINTS AND CONNECTIONS IN THE STORM SEWER SYSTEM SHALL BE GASTIGHT OR WATER TIGHT. APPROVED RESILIENT RUBBER JOINTS MUST BE USED TO MAKE WATER TIGHT CONNECTIONS TO MANHOLES, CATCH BASINS, AND OTHER STRUCTURES.
- ALL PORTIONS OF THE STORM SEWER SYSTEM, LOCATED WITHIN 10 FEET OF THE BUILDING OR WATER SERVICE LINE MUST BE TESTED IN ACCORDANCE WITH MINNESOTA RULES, PART 4715.2820.
- THE WATER DISTRIBUTION SYSTEM SHALL BE DISINFECTED PER MINNESOTA RULES, PART 4715.2250.

**CURRENT PROPOSAL**

**DEVELOPER**

**LAKE WEST DEVELOPMENT CO., LLC.**  
 15400 HIGHWAY 7  
 MINNETONKA, MN 55345  
 TEL (952)930-3000

**MUNICIPALITY**



**PROJECT**

**SAVILLE WEST MINNETONKA, MN**

**SHEET INDEX**

SHEET	TITLE
C0.1	CIVIL TITLE SHEET
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**REVISION HISTORY**

DATE	REVISION	REVIEW
15 JAN 2015	CONCEPTUAL SITE PLAN SUBMITTAL	CNC
27 APR 2015	PRELIMINARY PLAT SUBMITTAL	CNC
09 JUN 2015	CITY COMMENTS	CNC

**PROJECT MANAGER REVIEW**

BY RJS DATE 04-27-15

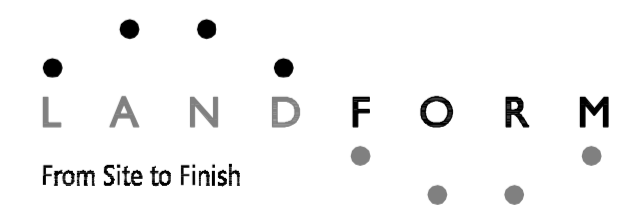
**CERTIFICATION**

**PRELIMINARY NOT FOR CONSTRUCTION**

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**CITY COMMENTS**

06-09-15



105 South Fifth Avenue Suite 513 Minneapolis, MN 55401  
 Tel: 612-252-9070 Fax: 612-252-9077  
 Web: landform.net

FILE NAME: C401LWD001.DWG  
 PROJECT NO.: LWD14001

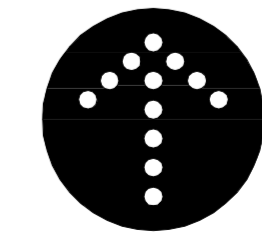
**UTILITIES-SANITARY AND WATER**

**C4.1**

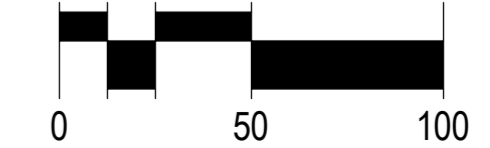
SHEET NO. 7/14002.15A



Know what's Below. Call before you dig.



NORTH



**Resolution No. 2017-**

**Resolution approving the preliminary and final plats for a five lot subdivision  
located at 5325 County Road 101, 5311 Tracy Lynn Terrace,  
and 5320 Spring Lane**

---

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

Section 1. Background.

- 1.01 In June 2015, the city council approved the preliminary plat of SAVILLE WEST. The twelve lot plat was presented by Lakewest Development and involved seven existing lots generally located at the southeast corner of the County Road 101/Excelsior Boulevard intersection. As approved, seven new R-1A lots would be accessed via a new cul-de-sac and five R-1 lots would access Spring Lane.
- 1.02 In September 2015, the city council approved the final plat of SAVILLE WEST. The final plat was not recorded.
- 1.03 In August 2016, the city council approved a twelve-month extension of the SAVILLE WEST final plat. The final plat has yet to be recorded.
- 1.04 Lakewest Development has decided not to move forward with development of the R-1A portion of the previously approved plat at this time. Rather, the company is proposing what is essentially a re-plat of SAVILLE WEST. Lakewest Development is requesting preliminary and final plat approval for a five lot subdivision. As proposed, two existing homes would remain on two of the proposed lots. Three new home sites would be created on the west side of Spring Lane.

1.05 The proposed development site is comprised of 5325 County Road 101, 5311 Tracy Lynn Terrace, and 5320 Spring Lane. The site is legally described on EXHIBIT A of this resolution.

1.06 On January 5, 2017, the planning commission held a hearing on the proposed plat. The applicant was provided the opportunity to present information to the commission. The commission considered all of the comments received and the staff report, which are incorporated by reference into this resolution. The commission recommended that the city council grant preliminary and final plat approval.

Section 2. General Standards.

2.01 City Code §400.030 outlines general design requirements for residential subdivisions. These standards are incorporated by reference into this resolution.

Section 3. Findings.

3.01 The proposed preliminary and final plats meet the intent of design requirements as outlined in City Codes §400.030.

Section 4. Council Action.

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

1. Prior to release of the final plat:

a) Submit the following:

1) A revised final plat drawing. The drawing must:

a. Have a plat name other than SAVILLE WEST. A new plat name is necessary to avoid confusion related to previous plat approvals.

b. Clearly illustrate all existing public rights-of-way and drainage and utility easements. Resolutions approving right-of-way and easements vacations in conjunction with previous approvals include conditions noting that the vacations were valid only upon the proper recording of the SAVILLE WEST plat. As that plat was never

- recorded, the right-of-way and drainage and utility easements remain in place.
- c. A minimum 10-foot wide drainage and utility easements adjacent to the public rights-of-way and minimum 7-foot wide drainage and utility easements along all other lot lines.
  - d. Utility easements over existing and proposed public utilities. This includes a utility easement along the lot line between Lots 2 and 3 to the rear property line to accommodate a required watermain stub. The easement must be at least twice as wide as the depth of the main and centered over the main.
  - e. Drainage and utility easements over wetland, floodplain elevation, and all stormwater management facilities, as determined by the city engineer.
- 2) Documents for the city attorney's review and approval. These documents must be prepared by an attorney knowledgeable in the area of real estate.
- a. Title evidence that is current within thirty days before release of the final plat.
  - b. A 25 foot conservation easement over the required wetland buffer and a drawing of the easement. The conservation easement may allow: (1) removal of hazard, diseased, or invasive species; and (2) location and maintenance of stormwater management facilities and other utilities.
  - c. Stormwater management plan. The plan must include:
    1. Volume Control: On-site retention of one inch of runoff over the entire site's impervious surface.

2. Rate Control: Peak flow rates must be limited to that of the existing rates for the 2-, 10-, and 100-year events at all points where stormwater leaves the site.
3. Water Quality: Stormwater must be treated to remove at least 60% of total phosphorus and 90% of total suspended solids.

In addition:

4. The plan may not include removal of any high-priority trees on Lots 4 or 5.
  5. All stormwater runoff must be pre-treated before entering the northern wetland on Spring Lane.
  6. The stormwater plan must meet the standards of the Riley-Purgatory Bluff Creek Watershed District and a permit from the district must be obtained.
- 3) Two sets of mylars for city signatures.
  - 4) An electronic CAD file of the plat in microstation or DXF.
  - 5) Park dedication fee of \$10,000.
2. Subject to staff approval, the plat must be developed and maintained in substantial conformance with the following plans, except as modified by the conditions below:
    - Preliminary plat dated November 4, 2016
    - Grading plan dated June 9, 2015, as it pertains to the three new lots on Spring Lane.
    - Utility plan dated June 9, 2015, as it pertains to the three new lots on Spring Lane.
    - Tree preservation plan dated June 9, 2015, as it pertains to the three new lots on Spring Lane.
  3. A watermain must be stubbed in between Lots 2 and 3 to the rear



property line. A grading permit is required to install this stub. Prior to issuance of the grading permit, a final utility plan must be submitted for staff review and approval. The plan must:

- a) Include water main and sanitary sewer plan and profile sheets.
  - b) Define the connection to the water main (cut in tee or wet tap with a valve) to stub water main along lot line between Lots 2 and 3 to rear property line. An isolation valve on the stub line is required.
  - c) Include a new water service to Lot 3. Service must come from the main in the street and not from the easement.
  - d) Note removal of unused water service to Lot 2, removal back to the main and corporation stop turn off.
  - e) Include extension of sanitary sewer to Lot 3. If the existing stub is used, developer must televise and televising must confirm that the stub is 8 inches, in good condition, and at a grade that can be extended for service to Lot 3. Sanitary service to Lot 3 must be perpendicular from the main to the property line.
  - f) Note removal of unused sanitary service to Lot 2, removal back to the main, cut out wye and sleeve.
  - g) Include a note that developer will do a full width patch of the roadway after utility improvements have been completed.
  - h) Include removal of existing hydrant and replacement with new hydrant.
4. Staff may issue a building permit for one home prior to recording of the final plat. However, prior to issuance of the permit:
- a) A utility plan consistent with the required plan outlined in section 5 above, must be submitted for staff review and approval.
  - b) A 25-foot conservation easement over the required wetland buffer must be submitted for staff review and approval and the easement must be recorded.

5. Prior to issuance of any additional building permits:
  - a) The final plat must be recorded.
  - b) The watermain stub between Lots 2 and 3 must be installed or a legal agreement and financial security submitted to the city to ensure installation.
  - c) A legal agreement and financial security must be submitted to the city to ensure construction and functionality of all stormwater practices as outlined in the approved Stormwater Management Plan.
  - d) The following documents must be submitted:
    - 1) A letter from the surveyor stating that boundary and lot stakes have been installed as required by ordinance.
    - 2) Proof of subdivision registration and transfer of NPDES permit.
    - 3) An electronic CAD file for public infrastructure in microstation or DXF and PDF format.
    - 4) Final grading and tree preservation plan for each lot. The plan must:
      - a. Be in substantial conformance with grading plan dated June 9, 2015, as it pertains to the three new lots on Spring Lane.
      - b. Show sewer and water services to minimize impact to any significant or high-priority trees. No trees may be removed for installation of services.
      - c. Survey showing location of home and driveway, including all pertinent setbacks. Locations must be in substantial conformance with the grading plan dated June 9, 2015, as it pertains to the three new lots on Spring Lane.
    - 5) A tree mitigation plan. The plan must meet minimum mitigation requirements as outlined in the ordinance.

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

- 6) Cash escrow in an amount to be determined by city staff. This escrow must be accompanied by a document prepared by the city attorney and signed by the builder and property owner. Through this document the builder and property owner will acknowledge:
- The property will be brought into compliance within 48 hours of notification of a violation of the construction management plan, other conditions of approval, or city code standards; and
  - If compliance is not achieved, the city will use any or all of the escrow dollars to correct any erosion and/or grading problems.

If the builder is the same entity doing grading work on the site, the cash escrow submitted at the time of grading permit may fulfill this requirement.

- d) Install a temporary rock driveway, erosion control, tree and wetland protection fencing and any other measures identified on the SWPPP for staff inspection. These items must be maintained throughout the course of construction.
- e) Install heavy duty fencing, which may include chain-link fencing, at the conservation easement. This fencing must be maintained throughout the course of construction.
- f) Submit all required hook-up fees.
6. All lots and structures within the development are subject to the following:
- a) Minimum floor elevation is 924.0.
- b) Lots must be custom graded. No site work, including tree removal, may occur prior to issuance of building permit.
- c) Lots must meet all minimum access requirements as outlined in Minnesota State Fire Code Section 503. These access

requirements include road dimension, surface, and grade standards. If access requirements are not met, houses must be protected with a 13D automatic fire sprinkler system or an approved alternative system.

7. The city may require installation and maintenance of signs which delineate the edge of any required conservation easement. This signage is subject to the review and approval of city staff.
8. During construction, the streets must be kept free of debris and sediment.
9. The city must approve the final plat within one year of preliminary approval or receive a written application for a time extension or the preliminary approval will be void.

Adopted by the City Council of the City of Minnetonka, Minnesota, on January 23, 2017.

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Terry Schneider, Mayor

Attest:

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David E. Maeda, City Clerk

Action on this resolution:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

Absent: Wiersum

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 January 23, 2017.

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David E. Maeda, City Clerk

**EXHIBIT A**

Parcel 1:

Tract M, Registered Lane Survey No. 566, County of Hennepin, Minnesota.  
Torrens Property  
Torrens Certificate No. 1147048

Parcel 2:

Tract B, Registered Land Survey No. 747, Hennepin County, Minnesota.  
That part of Tract C, Registered Land Survey No. 747, lying North of a line drawn parallel with and distant 5 feet South measured at right angles from the North line thereof; Hennepin County, Minnesota.

Torrens Property  
Torrens Certificate No. 1374629

Parcel 3:

Lot 2, Block 2, Tonka Court, Hennepin County, Minnesota.  
Torrens Property  
Torrens Certificate No. 1125342.5