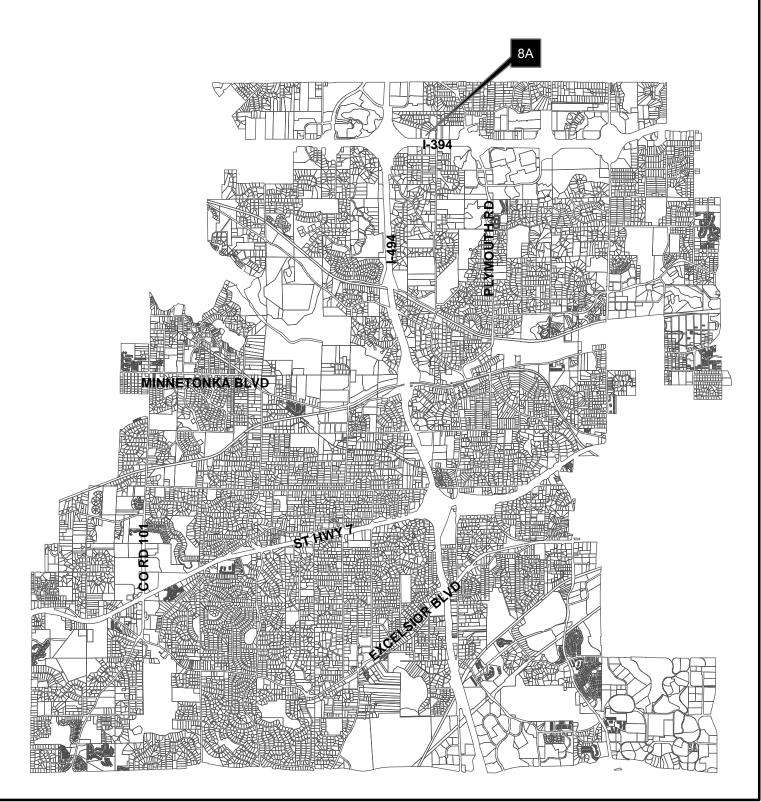


CITY OF MINNETONKA PLANNING COMMISSION JANUARY 4, 2018

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





Planning Commission Agenda

January 4, 2018-6:30 P.M.

City Council Chambers—Minnetonka Community Center

- 1. Call to Order
- 2. Roll Call
- 3. Approval of Agenda
- 4. Approval of Minutes: December 14, 2017
- 5. Report from Staff
- 6. Report from Planning Commission Members
- 7. Public Hearings: Consent Agenda

No Items

8. Public Hearings: Non-Consent Agenda Items

A. Minor amendment to an existing master development plan for a car wash addition at 13700–13712 Wayzata Boulevard.

Recommendation: Adopt the resolution approving the amendment (4 votes)

- Final Decision Subject to Appeal
- 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 18, 2018 Planning Commission meeting:

Project Description: The applicant is proposing to operate a full-service restaurant in the entirety of the existing building at 5445 Eden Prairie Road. The proposal requires a: (1) conditional use permit for a restaurant with pick-up window and outdoor seating area; and (2) a parking variance.

Project No.: 97095.17a Ward/Council Member: 1—Bob Ellingson

Staff: Susan Thomas Section: 33

Project Description: The city is proposing changes to the city code pertaining to telecommunications in right-of-way and small cell sites.

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 14, 2017

1. Call to Order

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

2. Roll Call

Commissioners Knight, O'Connell, Powers, Schack, Sewall, Calvert, and Kirk were present.

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

3. Approval of Agenda

Sewall moved, second by Calvert, to approve the agenda as submitted with additional comments provided in the change memo dated December 14, 2017.

Knight, O'Connell, Powers, Schack, Sewall, Calvert, and Kirk voted yes. Motion carried.

4. Approval of Minutes: November 30, 2017

Calvert moved, second by Schack, to approve the November 30, 2017 meeting minutes as submitted with corrections in the spelling of two names.

Knight, O'Connell, Powers, Schack, Sewall, Calvert, and Kirk voted yes. Motion carried.

5. Report from Staff

Gordon briefed the commission on land use applications considered by the city council at its meeting of December 4, 2017:

- Adopted a resolution approving a 12-month extension of the preliminary plat approval for Tonkawoods Farm First Addition.
- Adopted a resolution approving a 12-month extension for the approval of the canopy of the Bauer's gas and U-Haul site.
- Directed staff to provide a resolution approving a conditional use permit for an eight-person residential care facility on Baker Road. The item will be reviewed by the city council December 18, 2017.
- Reviewed the concept plan for Ridgedale Executive Apartments on Ridgedale Drive.

• Reviewed a concept plan for Dominium apartments that would be located in Opus. The use and density was found to be appropriate. Integrating parks and trails in Opus was discussed.

There was a comprehensive guide plan meeting December 11, 2017 and the next one will be in January 2018. Please check the city's website, *eminnetonka.com*, to confirm the date.

The next planning commission meeting will be January 4, 2017.

6. Report from Planning Commission Members

Schack reported on how the comprehensive guide plan meeting focused on economic development. She encouraged everyone to watch the presentation and discussion on line. Powers agreed that it is good to get involved and learn how a city operates.

Calvert attended the mountain bike meeting that had over 200 interested parties in attendance. There is a lot of education needed to learn about mountain-bike trails.

7. Public Hearings: Consent Agenda

No item was removed from the consent agenda for discussion or separate action.

Calvert moved, second by Powers, to approve the item listed on the consent agenda as recommended in the staff report as follows:

A. Time extension for a parking lot setback variance from 20 feet to 5 feet at 11311 K-Tel Drive.

Approve a 12-month time extension.

Knight, O'Connell, Powers, Schack, Sewall, Calvert, and Kirk voted yes. Motion carried and the item on the consent agenda was approved as submitted.

Chair Kirk stated that this motion may be appealed to the city council if requested in writing within 10 days to planning staff.

8. Public Hearings: None

9. Other Business

A. Concept plan review for The Villas of Glen Lake at 5517 and 5525 Eden Prairie Road.

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

Thomas reported. Staff recommends that the planning commission provide comments and feedback on the identified key issues and other issues the planning commission deems appropriate. The discussion is intended to assist the applicant with future direction that may lead to the preparation of more detailed development plans.

Blaine Waters, Quest Development, applicant, stated that:

- He lives in the Glen Lake community.
- There is a desire for this type of housing priced below the \$800,000s.
- The intent is for the area to be walkable and this type of housing would fit with that vision.
- He welcomed comments and questions.

Powers asked for the price point. Mr. Waters was hoping for \$550,000 to \$650,000. It would be difficult to have the price any lower due to land and building costs. There would be 1,450 square feet on the main level and another 1,000 square feet in the basement. Mr. Waters was still researching if a second-story option would be offered. He predicted that most of the houses would be rambler style.

Chair Kirk confirmed with Mr. Waters that the houses would have walk-out basements.

In response to Powers' question, Mr. Waters said that the backyards would be minimal and geared toward empty nesters. There would be areas to congregate and entertain. The steep-slope, wooded area would not be able to be developed.

Chair Kirk invited those present to provide comments.

Greg Olson, owner of the office building at 5509 Eden Prairie Road, stated that:

- He would like a buffer between his lot and the proposed site. He would like a fence and landscaping.
- A five-foot setback seems too small.
- He invited commissioners to walk the property. He marked the property line. The corner of his lot is 17 feet from the property line.
- He is worried about water flooding his basement and parking lot on the east side.
- He thought five houses would be considered high-density residential. He was concerned with the amount of hard cover surface.
- He was worried about losing trees located on the property line.
- Neighbors have walked through his property for years with dogs and people have dumped garbage in his dumpster. Neighbors have dumped grass clippings on his property. He has had people sleep in their vehicles in the parking lot or leave their vehicles in the lot overnight.
- He takes pride in the parking lot. The plan upset him.
- He was worried about people walking through his parking lot.
- When Highway 169 was closed, traffic was backed up.

- He was concerned that the proposal's snow would be dumped in his parking lot.
- The vehicle lights would shine in his windows.

Thomas appreciated the drainage, buffering, and setback questions which would be looked at if a formal application would be submitted. The concept plan would fit zoning for a PUD or R-3, low or medium density residential district.

Sewall stated that there should be an increase in buffering that corresponds with a decrease in the size of setbacks. As much natural buffering as possible would be the best option. He did not think empty nesters would walk around a parking lot too much.

Calvert suggested maintaining the mature trees between the properties to maintain the buffer and natural feel.

Chair Kirk stated that new townhomes at an affordable price are needed in the city. The proposal would sacrifice too much in terms of the volume of space that would be covered by hard surface. The root zones of the neighbors' trees should be protected. That would require a little more than the five-foot setback. He struggled with the density. He was not as concerned with the hydrology, but the trees on the north and south would have to be protected. There could be a problem if the street would be widened or a sidewalk or trail added.

Calvert agreed that new, single-level housing stock is in desperate need. The natural buffer and preserving the root zones of the mature trees located between the site and neighbor are important. The houses would be located close to Eden Prairie Road which could become problematic if the street would be expanded or a sidewalk or trail added.

Schack concurred. The tree ordinance provides specific requirements that could be met by preserving the trees on the steep slope, but clear-cutting trees adjacent to the neighbor is not appealing. She encouraged incorporating the wooded areas into the plan.

Powers said that if the villas already existed and a commercial building would be proposed where it is now, then the commercial building would not be allowed to have such a small setback to the property line.

O'Connell asked if the city would have the ability to build a sidewalk north of the site. The trees located between the properties are important. He asked for the amount of buildable area and setbacks for an office building on the property zoned for an office building. He supports this type of housing. The proposal would provide a transition from an office building to single-family residential housing.

Calvert asked if there would be sustainable aspects to the proposal. Mr. Waters explained that the building code now requires many sustainable practices. The proposal would meet or exceed code requirements. It would be cost prohibitive to utilize geothermal or solar power for five villas.

Chair Kirk thought that the Groveland Pond villas are too large for the setbacks. The volume of the houses in The Sanctuary creates a more aesthetically pleasing development.

Calvert liked that the proposal would provide a transition from commercial to single-family housing.

Knight did not have a problem with the setbacks between the proposed houses, but he did not like the north side-yard setback. That would be too tight. He asked how the private drive would be regulated. Thomas answered that the city must approve a private street. A private street must be able to support the weight and turning radius of the largest fire truck. There is a minimum street-width requirement of 20 feet and 14-foot vertical requirement.

Calvert noted the issues of guest parking and snow removal.

Knight noted the large setback on the south side. He suggested moving the houses further south.

The city council is tentatively scheduled to review the concept plan on January 8, 2018.

10. Adjournment

Calvert moved, second by Powers, to adjourn the meeting at 7:27 p.m. Motion carried unanimously.

By:

Lois T. Mason Planning Secretary

Minnetonka Planning Commission Meeting January 4, 2018

Agenda Item 7

Public Hearing: Consent Agenda

Minnetonka Planning Commission Meeting

January 4, 2018

Agenda Item 8

Public Hearing: Non-Consent Agenda

(No Items)

MINNETONKA PLANNING COMMISSION January 4, 2018

Brief Description	Minor amendment to an existing master development plan for a car wash addition at 13700–13712 Wayzata Boulevard.
Recommendation	Adopt the resolution approving the amendment

Background

In 1993, Maurice Wagener requested and received several city approvals to conduct automobile sales from the properties at 13700–13712 Wayzata Boulevard. Those approvals included a master development plan, final site and building plans, and conditional use permits, with variances for outdoor display, sales, and storage.

In 1996, the property owner requested an amendment to the master development plan to allow for a building footprint and size different than previously approved. This amendment was approved.

In 2013, the property owner proposed further modification of the master development plan. The proposal included construction of: (1) a secondary dealership building in the west parking lot; (2) a car wash and service consultation area on the northeast side of the existing building; (3) a drive aisle connection between the east and west parking lots, requiring a setback variance; and (4) a gated, "exit only" access to Horn Drive. The city approved the proposed new building and building addition, but denied the proposed drive aisle and driveway. The new building and addition were not constructed.

The full build-out of the site as approved in 1993 – and as modified in 1996 and 2013 – has not occurred to date.

Current Proposal

The property owner is now proposing a major remodel of the existing dealership. Both the interior building layout and exterior façades will be upgraded to comply with Mazda's facility requirements. In addition to these aesthetic changes, the proposed remodel also includes three site changes:

- 1. **Drive Aisle Dimension.** The width of a drive aisle in the easterly parking lot would be increased. This change in width would be accommodated by removal of a parking lot median and interior landscaping. No change to the parking lot perimeter is proposed.
- 2. **Trash Enclosure.** There is currently a covered, west-facing trash enclosure located on the northwest corner of the building. As proposed, the trash enclosure would be relocated. A new trash enclosure would be built adjacent to an existing retaining wall on the north side of the parking lot.
- 3. **Car Wash.** As proposed, a new single-stall car wash would be constructed to the west of the vacated area of the trash enclosure. The car wash would not replace an existing wash bay, located on the northeast side of the building. Rather, the new bay is intended to reduce vehicle wait times/queues. As is the dealership's current practice: (1) the car wash

would be available only to Morrie's customers; (2) the wash would be open the same day/hours as the dealership; and (3) vehicles would be valet washed by Morrie's employees.

The interior and façade changes, drive-aisle width change, and relocated trash enclosure do not require any special city approval; they may be administratively approved through the building permit process. The proposed car wash requires approval of a minor amendment to the existing master development plan.

Staff Analysis

In evaluating the proposed car wash, staff notes:

- The proposed car wash bay would be just 975 square feet in size, resulting in just a 2 percent increase in square footage of the existing dealership building.
- The proposed car wash location would meet all minimum setbacks as outlined in both the Planned I-394 (PID) ordinance and the existing master development plan.

PROPERTY LINE	REQUIRED SETBACK	PROPOSED SETBACK	
North	50 ft	50 ft	
West	35 ft	270+ ft	
South	50 ft	N/A	
East	50 ft	N/A	

- The proposed location would generally ensure that existing on-site circulation are maintained.
- Existing topography would provide some natural screening, as would existing vegetation and proposed plantings.

Staff Recommendation

Adopt the resolution approving a minor amendment to an existing master development plan for a car wash addition at 13700–13712 Wayzata Boulevard.

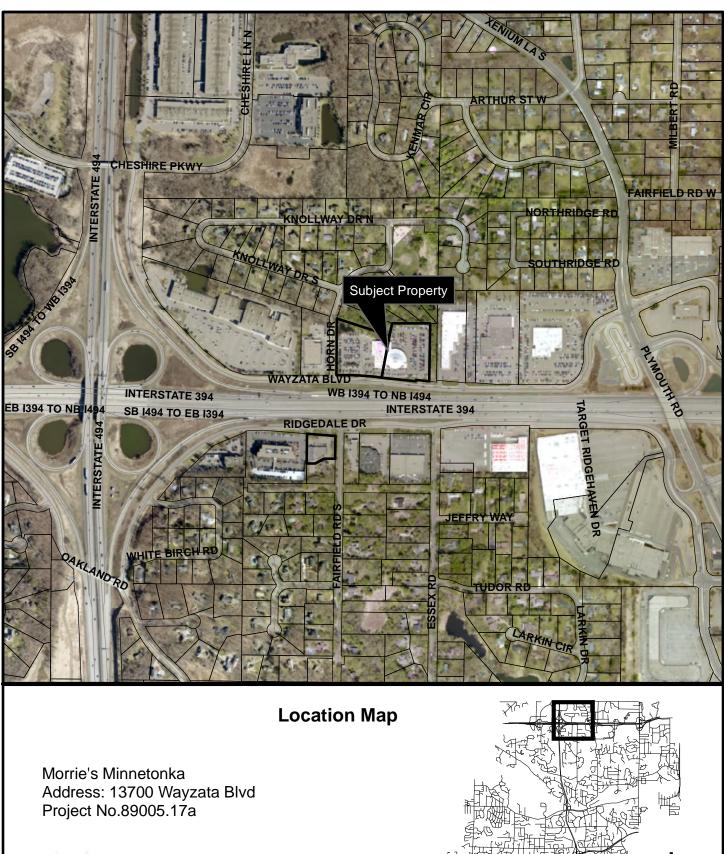
Originator: Susan Thomas, AICP, Principal Planner Through: Loren Gordon, AICP, City Planner

Supporting Information

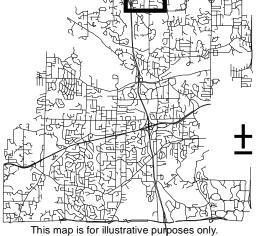
Surrounding Land Uses	Northerly:Single-family homes; zoned R-1Easterly:Commercial; zoned PIDSoutherly:I-394Westerly:Commercial; zoned PID
Planning	Guide Plan designation: Commercial Zoning: PID
Build-Out	Given the 1993 and 1996 approvals, the dealership has the right to use the subject properties for the sale of automobiles. Similarly, the dealer has certain rights to a full build-out of the site if such build-out is in substantial compliance with the previously approved master development plan.
Original Request	The plans originally submitted by the applicant included construction of

- **Original Request** The plans originally submitted by the applicant included construction of a car wash bay in the same general location as the vacated trash enclosure. That location required a setback variance from 50 feet to 32 feet. In addition, the plans proposed an easterly expansion of the dealership's east parking lot. The expansion required a wetland setback variance. Staff indicated to the applicant that they could not support the variance requests for much the same reasons they could not support the 2013 proposal. Namely, there was no unique circumstance inherent to the property justifying the variances. The applicant subsequently chose to amend the plans to those presented in this report.
- **Nuisance Concerns** During review of the current proposal, residents raised concerns regarding perceived nuisance conditions at the site, including noise violations during nighttime and early morning hours, maintenance of landscaping, and trash. While staff was made aware of similar issues in 2013, no complaints have since been submitted to planning staff. Morrie's management and city staff have encouraged residents to contact Morrie's directly with any concerns. If issues persist, residents are encouraged to contact planning staff during office hours and the police during non-office hours. As with any property, the dealership is subject to all provisions of the city's nuisance ordinance.
- **Neighborhood Meeting** The applicant held a neighborhood meeting on December 12, 2017. One area property owner attended and noted that his primary concern related to the [then] proposal was the requested setback variances.
- NeighborhoodThe city sent notices to 92 area property owners and received
two written comments related to the original request.

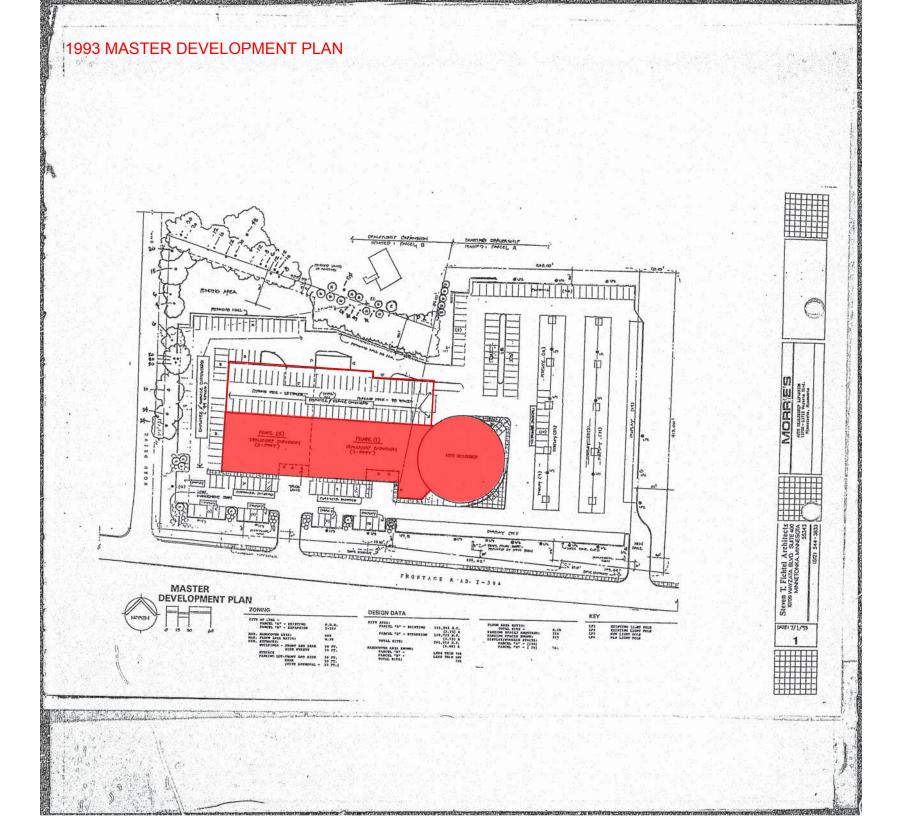
Deadline for Action February 5, 2018



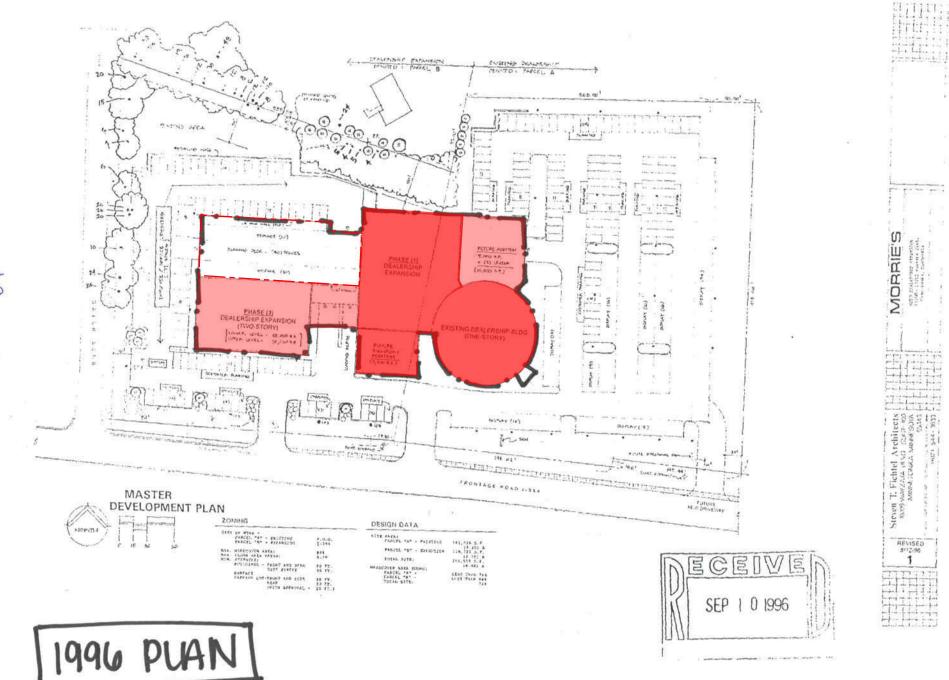




PREVIOUS APPROVALS AND PROPOSALS







49

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2013 PROPOSAL



CURRENT PROPOSAL

BUILDING ALTERATIONS AND ADDITION FOR: MORRIES MAZDA MINNETONKA, MINNESOTA

MATERIAL INDEX-PLANS, SECTIONS

EARTH COMPACTED FILL **GRAVEL FILL** CERAMIC TILE POURED CONCRETE STEEL CONCRETE BLOCK CONCRETE BLOCK FILLED FACE BRICK STONE **ROUGH LUMBER** PLYWOOD

REFERENCE SYMBOLS

SECTION CUT SYMBOL (WALL SECTIONS) SECTION DESIGNATION (NUMBER FOR CROSS SECTION & LETTER FOR WALL SECTION) - DRAWING NUMBER ON WHICH SECTION APPEARS PLAN DETAIL / ENLARGED PLAN SYMBOL

DETAIL NUMBER $1 \rightarrow$ ∖A101≯ - DRAWING NUMBER ON WHICH DETAIL APPEARS

DETAIL CUT SYMBOL

DETAIL NUMBER $\langle 1 \rangle$ ∖A101≁ - DRAWING NUMBER ON WHICH DETAIL APPEARS

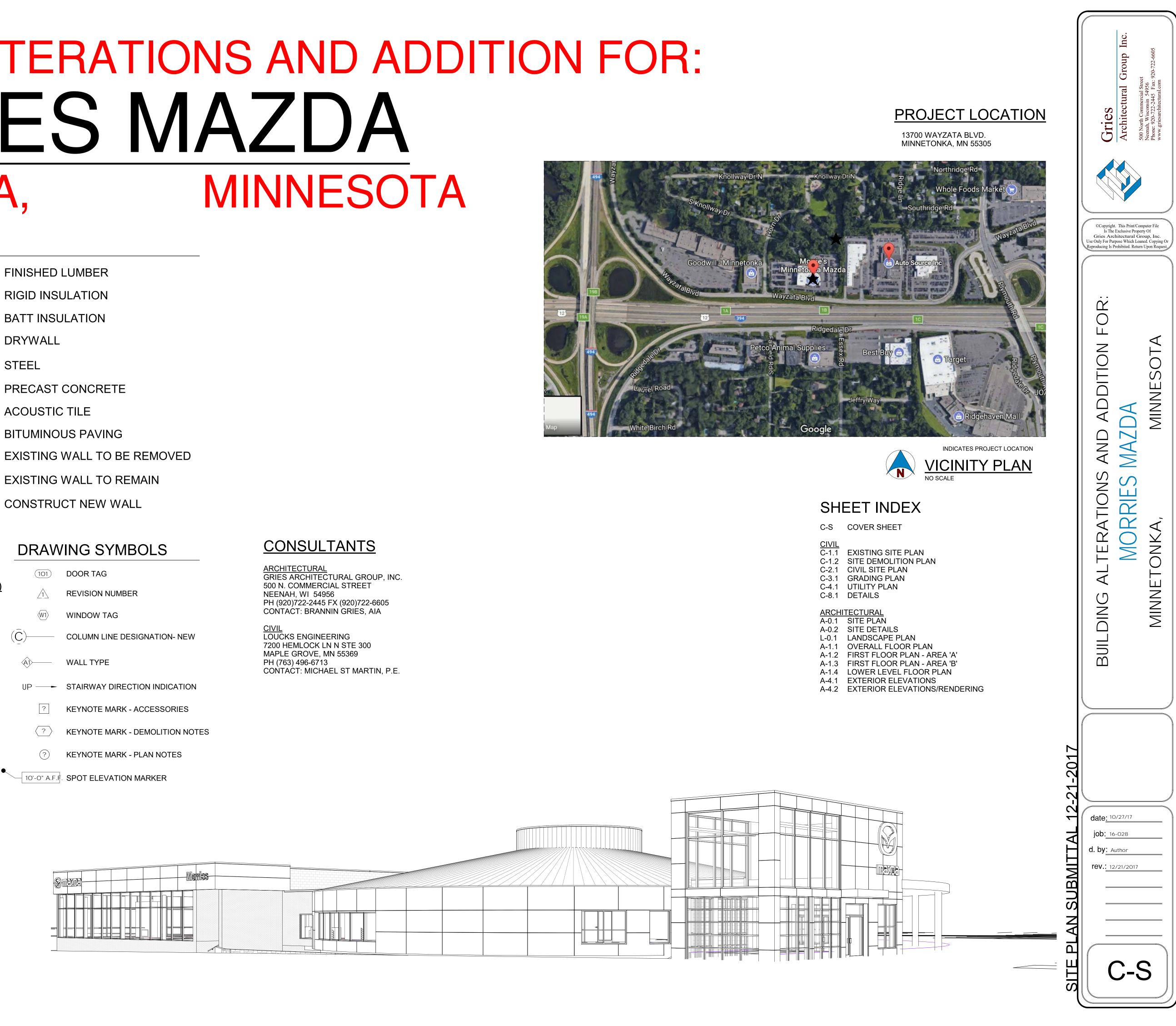


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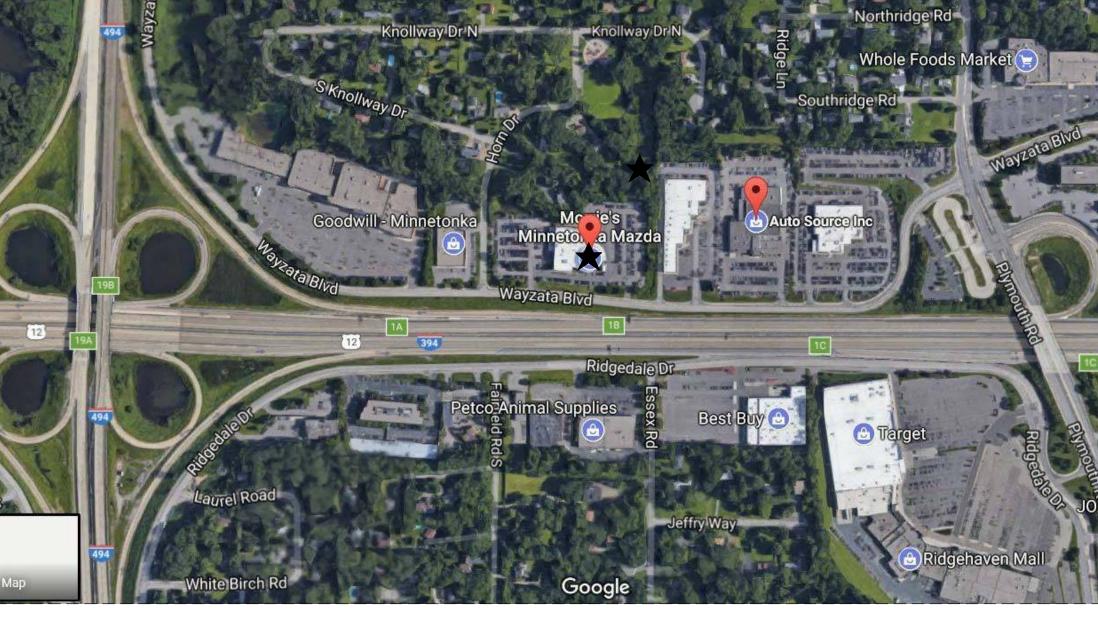
Elevation ELEVATION MARK - EXISTING

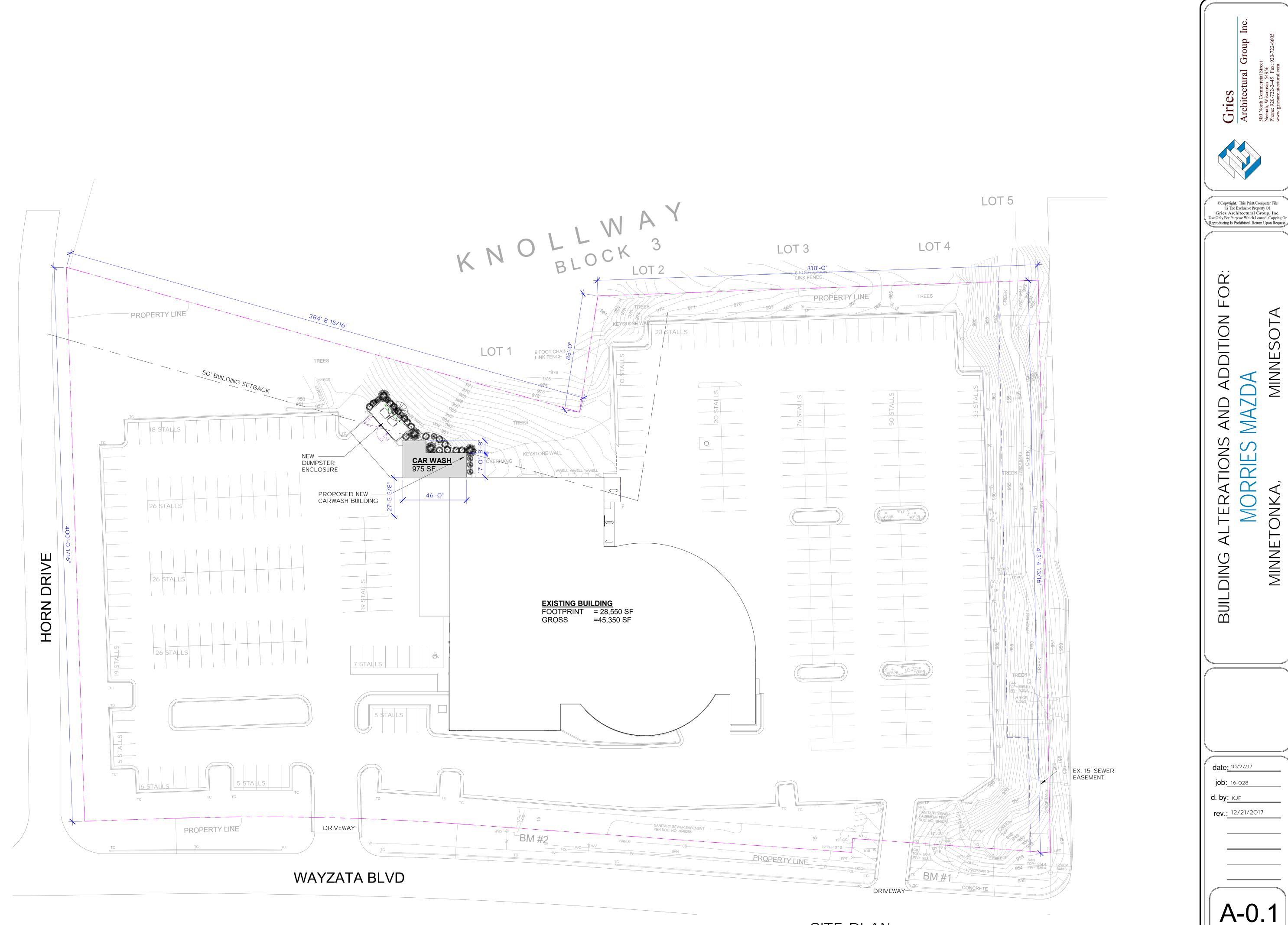
DRAWING SYMBOLS

(101)	DOOR TAG
1	REVISION NUMBER
(W1)	WINDOW TAG
(<u>Ĉ</u>)	COLUMN LINE DESIGNATION-
ÂÌ	WALL TYPE
UP ——	STAIRWAY DIRECTION INDICA
?	KEYNOTE MARK - ACCESSORI
$\langle ? \rangle$	KEYNOTE MARK - DEMOLITION
?	KEYNOTE MARK - PLAN NOTE
10'-0" A.F.F.	SPOT ELEVATION MARKER



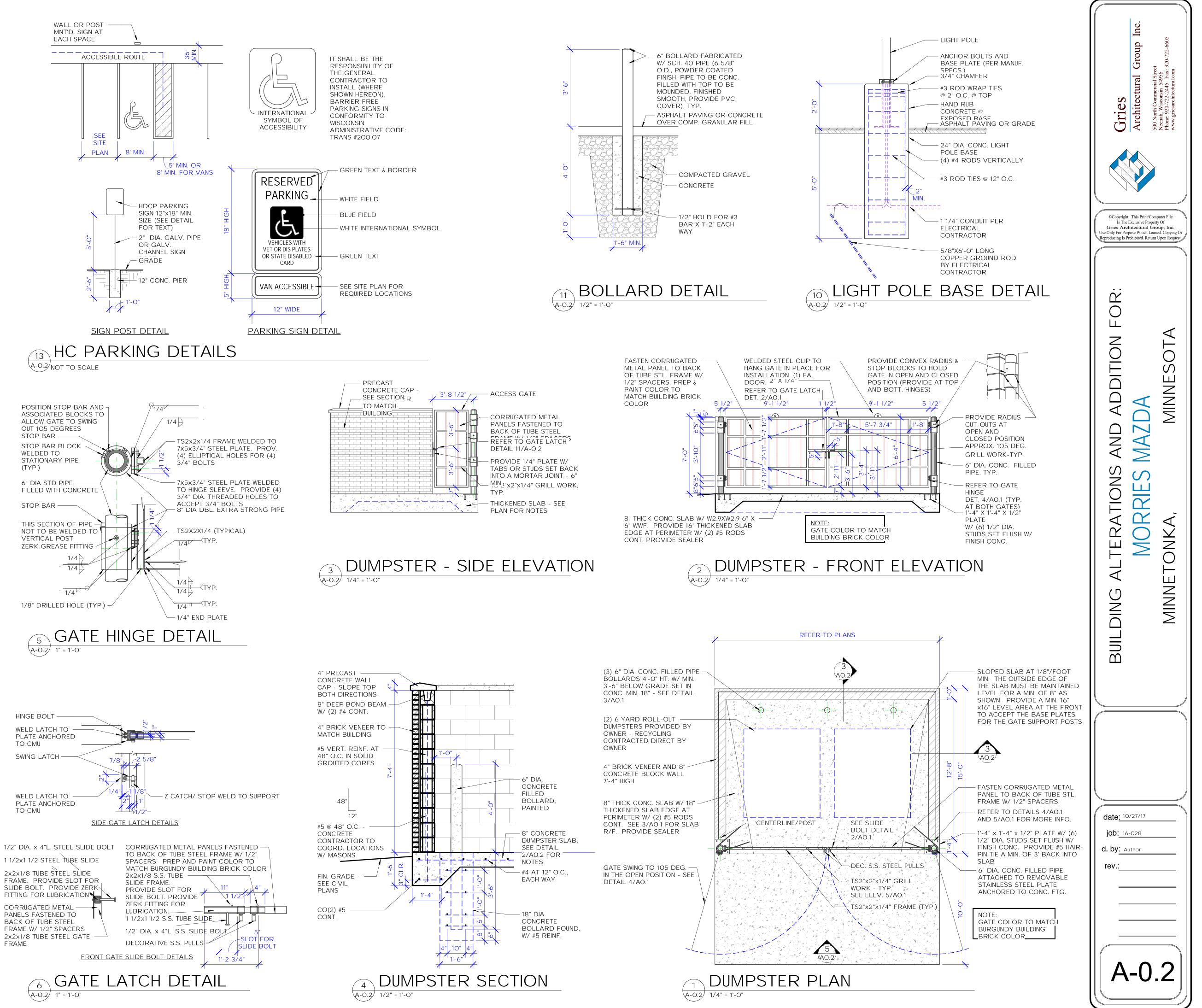








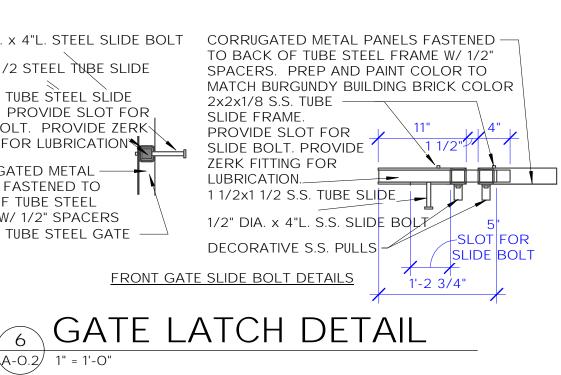


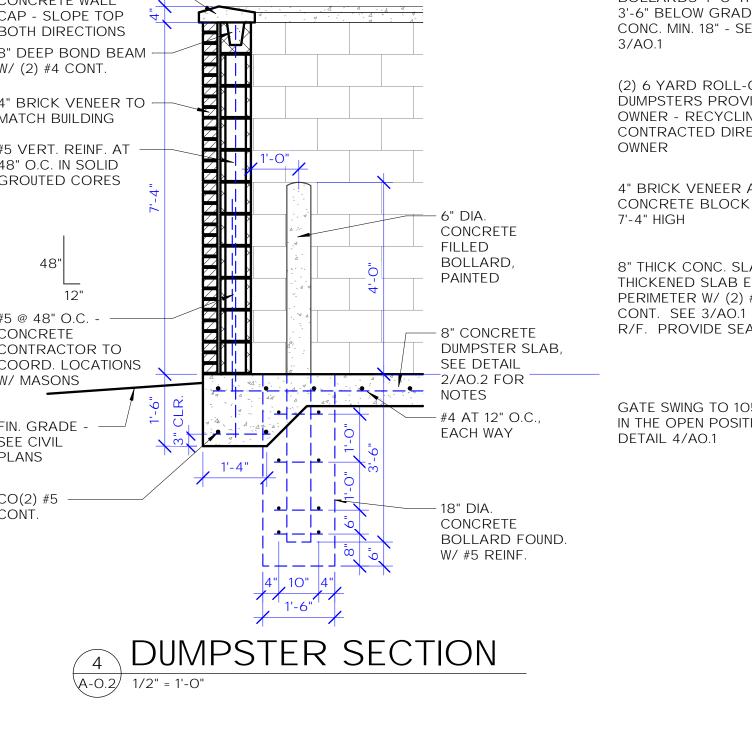


1/2" DIA. x 4"L. STEEL SLIDE BOLT 1 1/2x1 1/2 STEEL TUBE SLIDE

FRAME. PROVIDE SLOT FOR SLIDE BOLT. PROVIDE ZERK FITTING FOR LUBRICATION

CORRUGATED METAL -PANELS FASTENED TO BACK OF TUBE STEEL FRAME W/ 1/2" SPACERS 2x2x1/8 TUBE STEEL GATE -FRAME





GENERAL NOTES:

- 1. THE LANDSCAPE REQUIREMENTS OF GOVERNMENTAL AGENCIES. WHEN IN CONFLICT WITH INFORMATION SHOWN ON THESE PLANS, SHALL TAKE PRECIDENCE OVER ANY AND ALL SPECIFICATIONS AND GUIDELINES SET FORTH HEREIN.
- 2. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE EXACT LOCATION OF ALL UNDERGROUND UTILITIES PRIOR TO ANY EXCAVATION OR PLANTING AND SHALL BE RESPONSIBLE FOR THEIR REPAIR OR PAY FOR ALL DAMAGES MADE TO UNDERGROUND UTILITIES.
- 3. ALL AREAS NOT COVERED BY BUILDING, PAVEMENTS OR OTHER PERMANENT CONSTRUCTION SHALL BE PLANTED, SEEDED AND/OR MULCHED IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS.
- 4. AN IRRIGATION SYSTEM SHALL BE INSTALLED TO PROVIDE WATERING OF ALL PROPOSED TURFGRASS AND PLANT MATERIALS. THE CONTRACTOR SHALL PROVIDE AN IRRIGATION PLAN TO THE OWNER AND SHALL REVISE THE PLAN AS NEEDED TO REFLECT "AS-BUILT" CONDITIONS. THE CONTRACTOR SHALL INSTRUCT THE OWNER ON THE PROPER OPERATION AND MAINTENANCE OF THE INSTALLED SYSTEM. THIS SHALL BE PRICED AS AN ALTERNATE

PLANT MATERIALS

- 1. PROVIDE PLANTS OF QUANTITY, SIZE, GENUS, SPECIES, AND VARIETY SHOWN AND SCHEDULED AND IN CONFORMANCE WITH THE REQUIREMENTS OF ANSI Z60.1 "AMERICAN STANDARD FOR NURSERY STOCK". PLANTS SHALL HAVE BEEN GROWN IN A RECOGNIZED NURSERY IN ACCORDANCE WITH GOOD HORTICULTURAL PRACTICE.
- 2. ALL PLANTS SHALL BE FULL, WELL-BRANCHED PLANTS CHARACTERISTIC OF THE SPECIES. PLANTS SHALL BE FREE OF DISEASE, INSECTS, EGGS, LARVAE, AND DEFECTS SUCH AS KNOTS, SUN-SCALD, INJURIES, ABRASIONS, OR DISFIGUREMENT.
- 3. PLANT STOCK SHALL HAVE BEEN GROWN UNDER CLIMATIC CONDITIONS SIMILAR TO CONDITIONS IN THE LOCALITY OF THE PROJECT.
- 4. LABEL AT LEAST ONE PLANT OF EACH KIND WITH A SECURELY ATTACHED WATERPROOF TAG BEARING LEGIBLE DESIGNATION OF BOTANICAL AND COMMON NAME.
- 5. PROVIDE FRESHLY DUG BALLED & BURLAPPED PLANT MATERIALS. DO NOT DROP BALLED & BURLAPPED STOCK DURING DELIVERY.
- 6. DO NOT REMOVE CONTAINER-GROWN STOCK FROM CONTAINERS UNTIL PLANTING TIME.

INSTALLATION OF PLANT MATERIALS:

- 1. INSTALL TREES AND SHRUBS ACCORDING TO STANDARD DETAILS SHOWN ON THE PLAN.
- 2. ALL TREE SAUCERS SHALL BE SOAKED WITH WATER AND MULCHED IMMEDIATELY FOLLOWING PLANTING.
- 3. ALL TREE SAUCERS AND SHRUB BEDS SHALL BE MULCHED WITH A 3-INCH LAYER OF ORGANIC MULCH SUCH AS PINE STRAW, SHREDDED HARDWOOD, OR LICORICE ROOT. NON-ORGANIC MULCHES SUCH AS GRAVEL, CRUSHED BRICK, LAVA ROCK, ETC. ARE UNACCEPTABLE.
- 4. TREE GUYING SHALL BE REMOVED AFTER ONE FULL GROWING SEASON.
- 5. APPLY 12 CUBIC FEET OF PEAT MOSS PER 100 SQUARE FEET AND 20 POUNDS OF 8-8-8 FERTILIZER PER 100 SQUARE FEET OF GROUND COVER PLANTING BEDS. ROTOTILL THE BEDS TO A DEPTH OF 6 INCHES AND SMOOTH TO AN EVEN AND UNIFORM SURFACE. PLANT GROUND COVER MATERIALS, APPLY 2 INCHES OF ORGANIC MULCH, AND WATER

MAINTENANCE & WARRANTY

- 1. MAINTENANCE OF PLANT MATERIALS AND LAWN AREAS SHALL BEGIN IMMEDIATELY AFTER INSTALLATION AND SHALL CONTINUE UNTIL FINAL ACCEPTANCE, BUT IN NO CASE, LESS THAN THE FOLLOWING STATED PERIODS: PLANT MATERIALS: 90 DAYS AFTER SUBSTANTIAL COMPLETION LAWN AREAS: 60 DAYS AFTER SUBSTANTIAL COMPLETION
- 2. AFTER REQUIRED MAINTENANCE PERIOD, THE OWNER, UPON REQUEST WILL MAKE AN INSPECTION TO DETERMINE ACCEPTABILITY. UNACCEPTABLE WORK SHALL BE REPAIRED OR REPLACED AND REINSPECTED BEFORE FINAL ACCEPTANCE IS GRANTED.
- 3. A WRITTEN WARRANTY SHALL BE PROVIDED TO THE OWNER GUARANTEEING THAT ALL PLANT MATERIALS, SOD, AND/OR SEEDED AREAS WILL BE THRIVING FOR THE FOLLOWING STATED PERIODS:
- 4. TREES, SHRUBS, AND GROUND COVERS: ONE YEAR AFTER FINAL ACCEPTANCE SOD AND SEEDED AREAS: 90 DAYS AFTER FINAL ACCEPTANCE PERRENIALS: 90 DAYS AFTER FINAL ACCEPTANCE
- 5. THE CONTRACTOR SHALL PROVIDE THE OWNER WITH WRITTEN INSTRUCTIONS REGARDING MAINTENANCE OF EACH TYPE OF VEGETATION. THE OWNER IS RESPONSIBLE FOR PROPER MAINTENANCE OF THE MATERIALS DURING THE WARRANTY PERIOD AS OUTLINED IN THE MAINTENANCE INSTRUCTIONS. THE CONTRACTOR SHALL MAKE PERIODIC INSPECTIONS OF THE SITE AND WILL INFORM THE OWNER OF ANY LACK OF PROPER MAINTENANCE IN WRITING. OWNER'S FAILURE TO COMPLY WITH THE MAINTENANCE PROGRAM SHALL RENDER THE WARRANTY NULL AND VOID.
- 6. THE CONTRACTOR IS NOT RESPONSIBLE FOR ACTS OF NATURE INCLUDING AB- NORMAL WEATHER CONDITIONS, EROSION, VANDALISM, NOR DAMAGES BY OTHERS. IF ANY CONDITIONS BEYOND THE CONTROL OF THE CONTRACTOR SHOULD OCCUR, THE MATERIALS AFFECTED WILL NO LONGER BE COVERED BY THE WARRANTY.

SEEDBED PREPARATION:

- 1. ALL DISTURBED AREAS SHALL BE DRESSED TO THE TYPICAL SECTIONS AND/OR GRADES SHOWN AND PLOWED TO A DEPTH OF 5 INCHES. THE TOP 2 INCHES SHALL BE PULVERIZED TO PROVIDE A UNIFORM SEEDBED. (NOTE: LIME SHALL BE APPLIED BEFORE PLOWING OPERATION.)
- 2. REMOVE ALL LOOSE ROCK, ROOTS, AND OTHER DEBRIS LEAVING SURFACE REA- SONABLY SMOOTH AND UNIFORM. SOIL LEVEL SHALL BE APPROXIMATELY 1 INCH BELOW ALL TOPS OF CURBS AND WALKWAYS.
- 3. APPLY LIME AND FERTILIZER WITH NECESSARY EQUIPMENT TO ENSURE UNIFORM DISTRIBUTION OF THE MATERIALS. THE HAND/BUCKET METHOD IS NOT ACCEP- TABLE. THE RATES AND TYPES OF MATERIALS TO BE APPLIED ARE AS FOLLOWS:
- TURFGRADE FERTILIZER WITH SLOW RELEASE NITROGEN (E.G. 18-24-10) - RATE THAT WILL PROVIDE 5 LBS. OF PHOSPHORUS PER 1000 SQUARE FEET
- 75 LBS. PER 1000 SQUARE FEET
- LIMESTONE (LIMESTONE MAY BE WAIVED IF EXISTING PH IS GREATER THAN 5.5.)

MOISTEN PREPARED LAWN AREAS BEFORE PLANTING IF SOIL IS DRY. ALLOW SURFACE MOISTURE TO DRY BEFORE PLANTING LAWNS. DO NOT CREATE A MUDDY SOIL CONDITION.

LAWN INSTALLATION:

LAWN AREAS SHALL BE PREPARED ACCORDING TO THE SECTION BELOW ENTITLED "SEEDBED PREPARATION".

IS NORMALLY UNSUCCESSFUL OR WILL BE UNSUCCESSFUL DUE TO CLIMATE, SEASON, OR OTHER TEMPORARY CONSTRAINT. SOD SHALL BE STRONGLY ROOTED, FREE OF WEEDS, AND OF UNIFORM THICKNESS WITH NO MORE THAN 1.5 INCHES OR LESS THAN 1 INCH OF SOIL.

SOD SHALL BE TIGHTLY-FITTED TOGETHER. ENDS AND EDGES SHALL MEET WITHOUT OVERLAP AND JOINTS SHALL BE STAGGERED WITH ADJACENT ROWS. AFTER INSTALLATION, SOD SHALL BE THOROUGHLY WATERED. ON SLOPES STEEPER THAN 2:1, SOD SHALL BE HELD IN PLACE WITH WOODEN STAKES MEASURING 1 INCH SQUARE BY 6 INCHES LONG. STAKES SHALL BE DRIVEN FLUSH WITH THE TOP OF THE SOD'S SOIL LAYER.

PROVIDE GRASS SEED THAT IS FRESH, CLEAN, NEW-CROP SEED COMPLYING WITH TOLERANCE FOR PURITY AND GERMINATION ESTABLISHED BY OFFICIAL SEED ANALYSTS OF NORTH AMERICA PROVIDE SEED TYPE OR SEED MIX WITH BEST RECORD OF SUCCESS IN LOCALITY OF PROJECT

APPLY SEED AT THE APPROPRIATE RATE FOR ESTABLISHING A NEW LAWN. SOW SEED USING A SPREADER OR SEEDING MACHINE DISTRIBUTE SEED EVENLY OVER ENTIRE AREA BY SOWING EQUAL QUANTITY IN 2 DIRECTIONS AT RIGHT ANGLES TO EACH OTHER. RAKE SEED LIGHTLY INTO TOP 1/8-INCH OF SOIL, ROLL LIGHTLY, AND WATER WITH A FINE SPRAY.

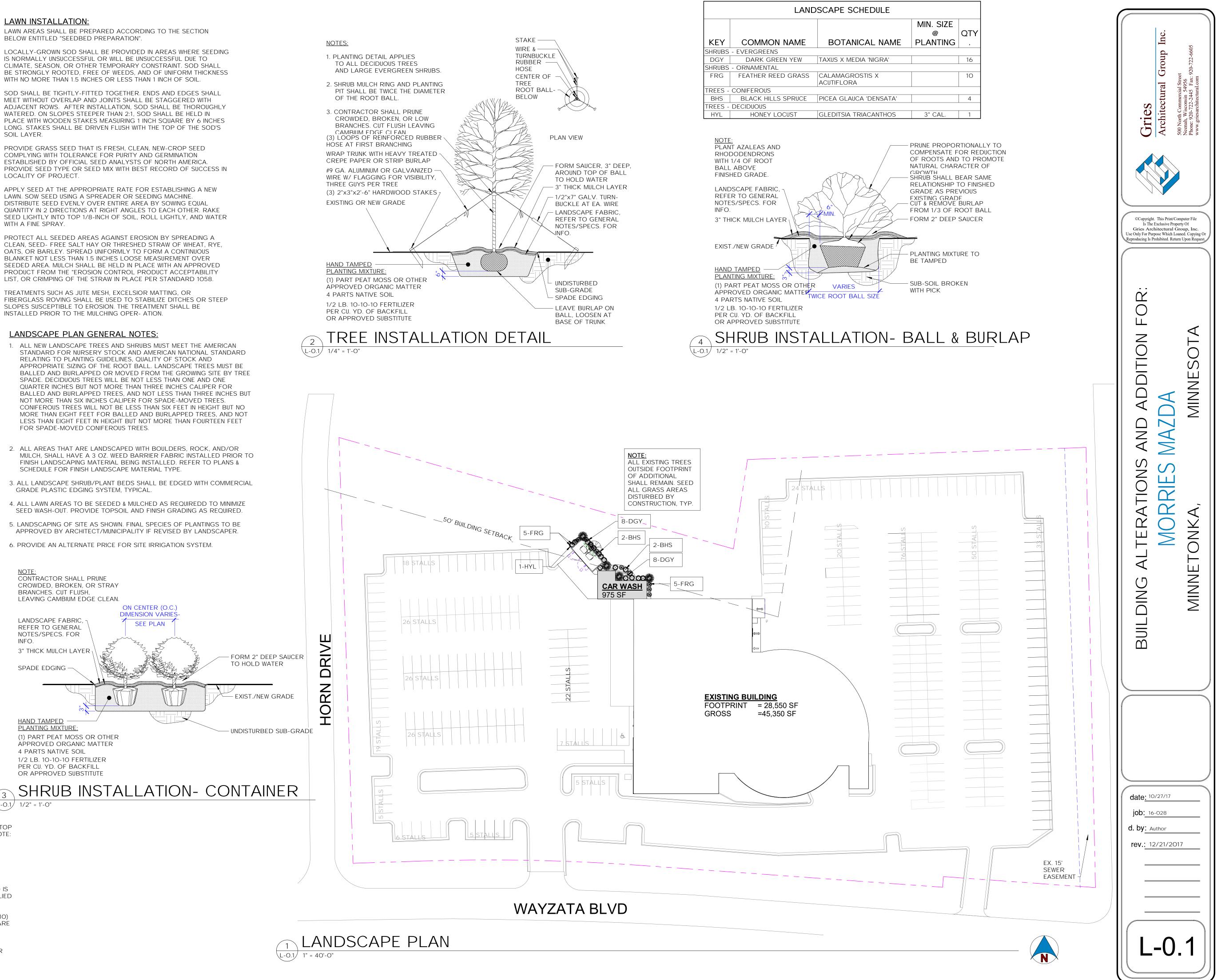
PROTECT ALL SEEDED AREAS AGAINST EROSION BY SPREADING A CLEAN, SEED- FREE SALT HAY OR THRESHED STRAW OF WHEAT, RYE OATS, OR BARLEY. SPREAD UNIFORMLY TO FORM A CONTINUOUS BLANKET NOT LESS THAN 1.5 INCHES LOOSE MEASUREMENT OVER SEEDED AREA. MULCH SHALL BE HELD IN PLACE WITH AN APPROVED PRODUCT FROM THE "EROSION CONTROL PRODUCT ACCEPTABILITY LIST, OR CRIMPING OF THE STRAW IN PLACE PER STANDARD 1058.

TREATMENTS SUCH AS JUTE MESH, EXCELSIOR MATTING, OR FIBERGLASS ROVING SHALL BE USED TO STABILIZE DITCHES OR STEEP SLOPES SUSCEPTIBLE TO EROSION. THE TREATMENT SHALL BE INSTALLED PRIOR TO THE MULCHING OPER- ATION.

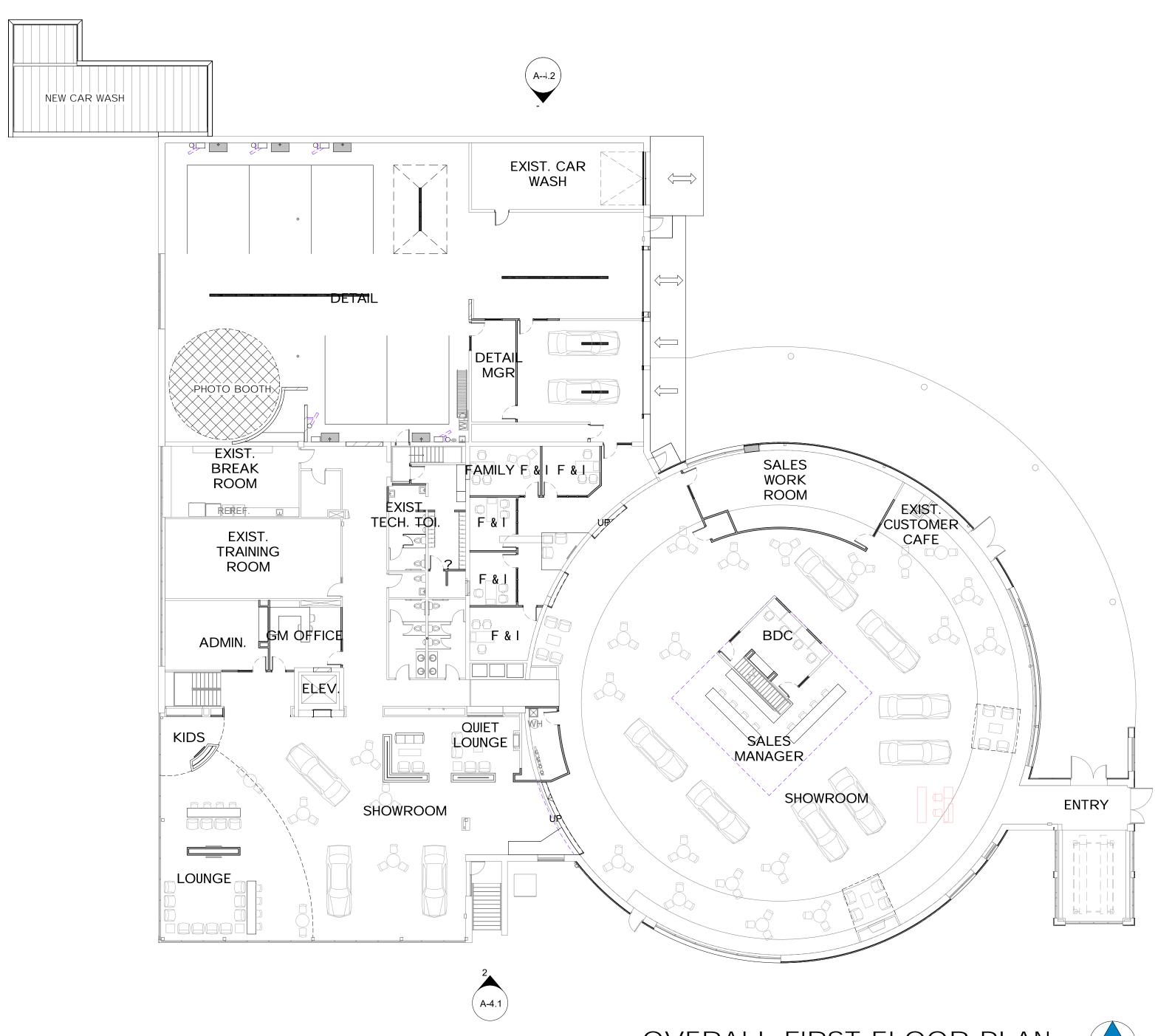
LANDSCAPE PLAN GENERAL NOTES:

- 1. ALL NEW LANDSCAPE TREES AND SHRUBS MUST MEET THE AMERICAN RELATING TO PLANTING GUIDELINES, QUALITY OF STOCK AND SPADE. DECIDUOUS TREES WILL BE NOT LESS THAN ONE AND ONE QUARTER INCHES BUT NOT MORE THAN THREE INCHES CALIPER FOR NOT MORE THAN SIX INCHES CALIPER FOR SPADE-MOVED TREES. FOR SPADE-MOVED CONIFEROUS TREES.
- SCHEDULE FOR FINISH LANDSCAPE MATERIAL TYPE.
- GRADE PLASTIC EDGING SYSTEM, TYPICAL.

- 6. PROVIDE AN ALTERNATE PRICE FOR SITE IRRIGATION SYSTEM.

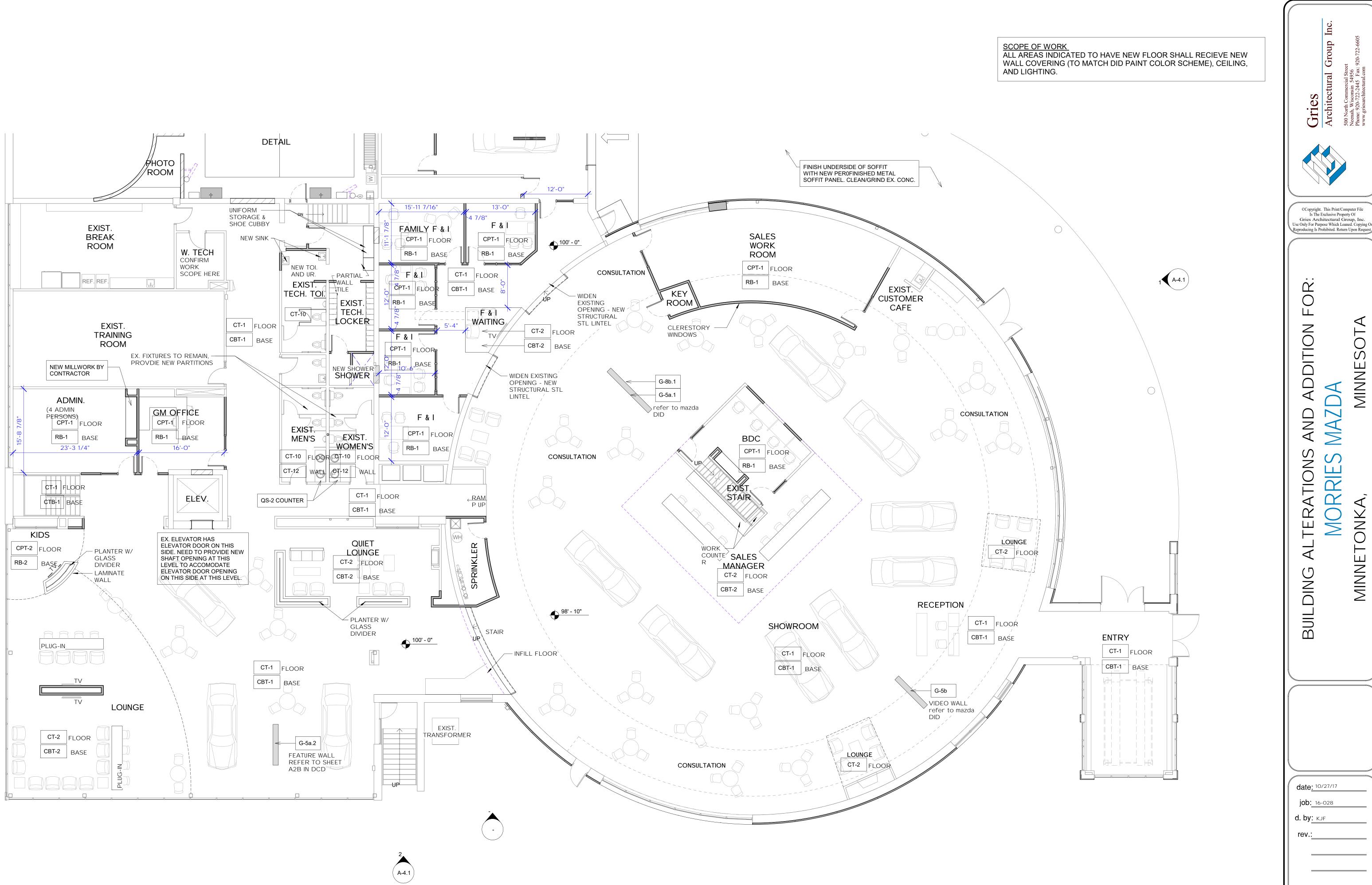


L-0.1/ 1/2" = 1'-0"







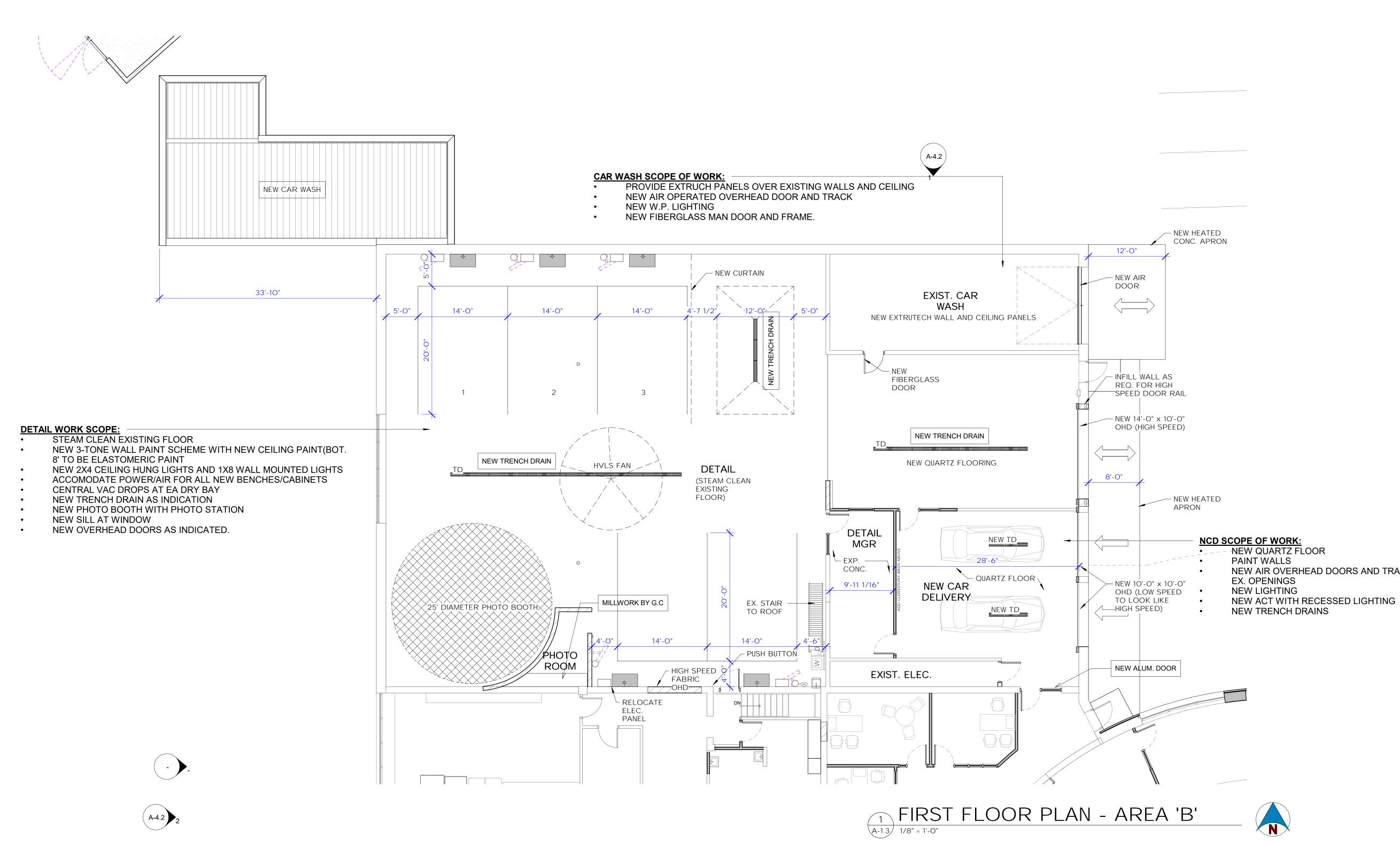


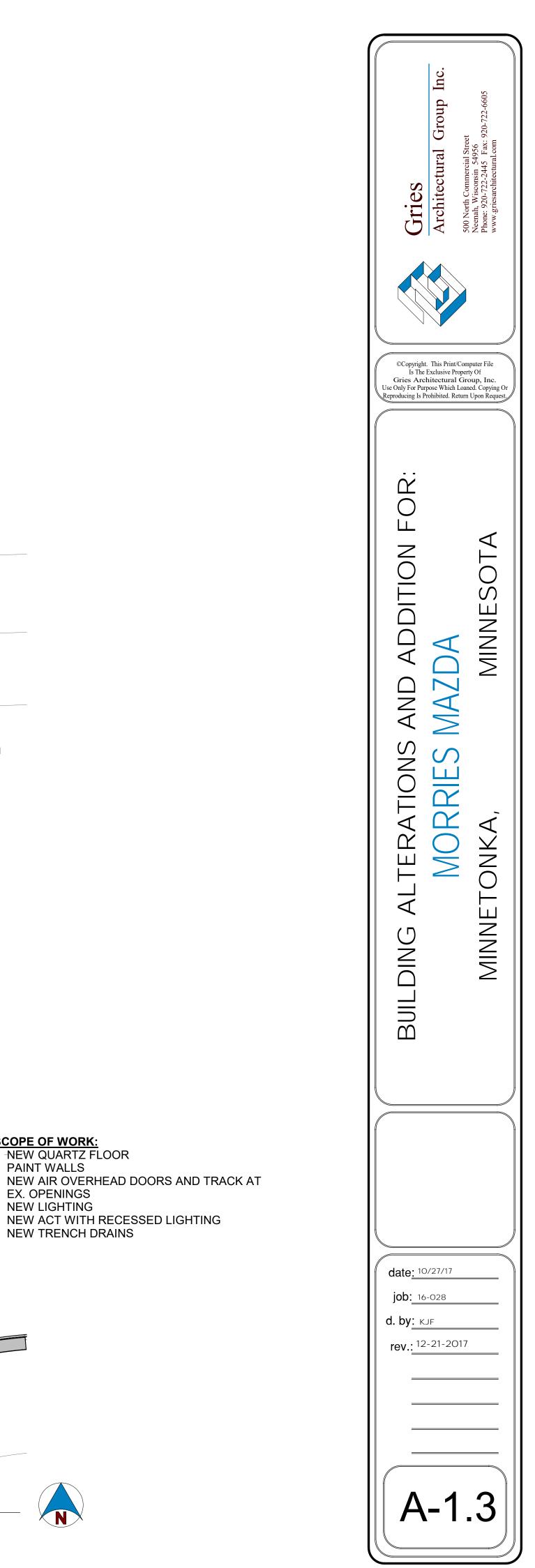


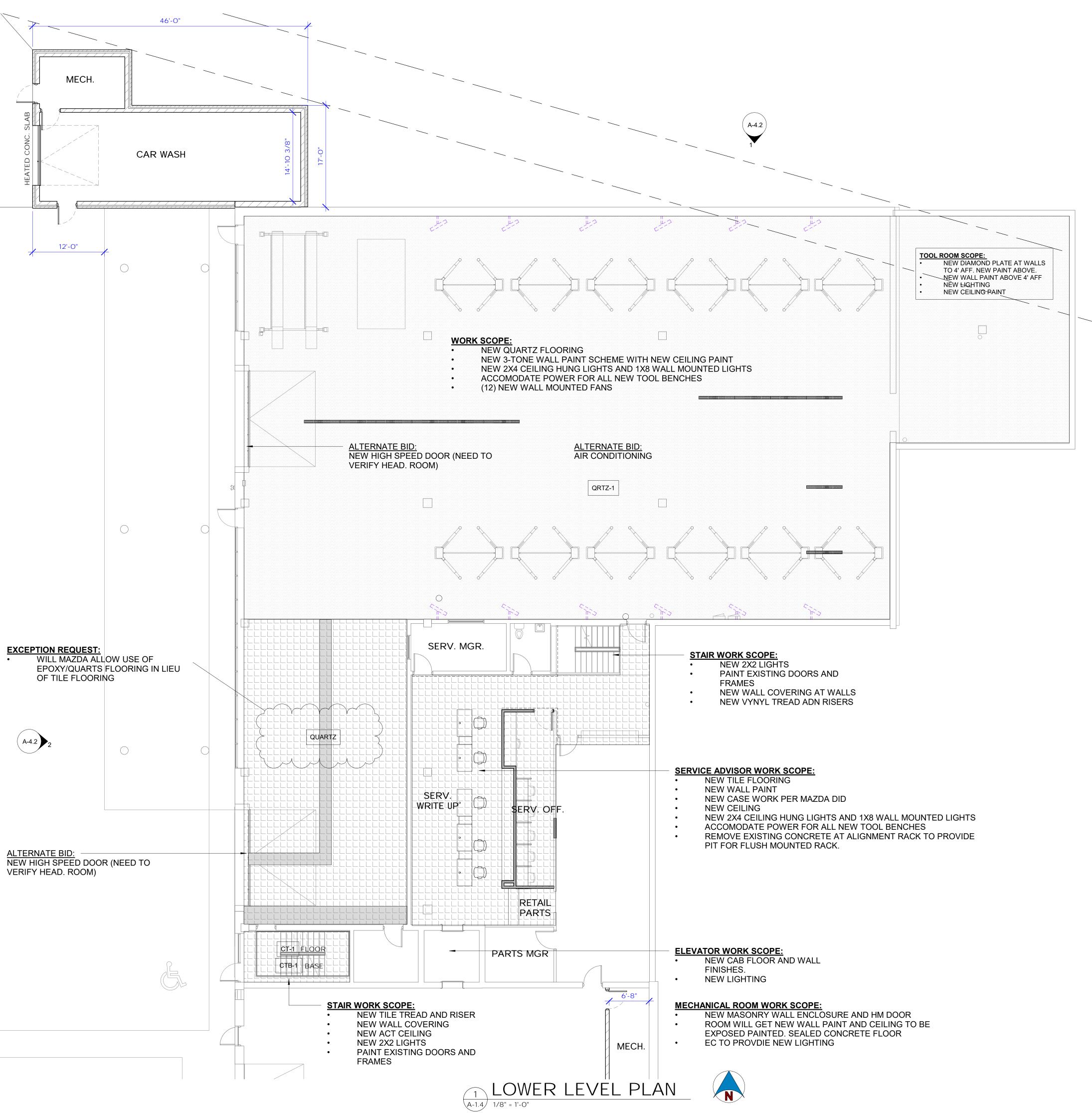
 1
 FIRST FLOOR PLAN - AREA
 'A'

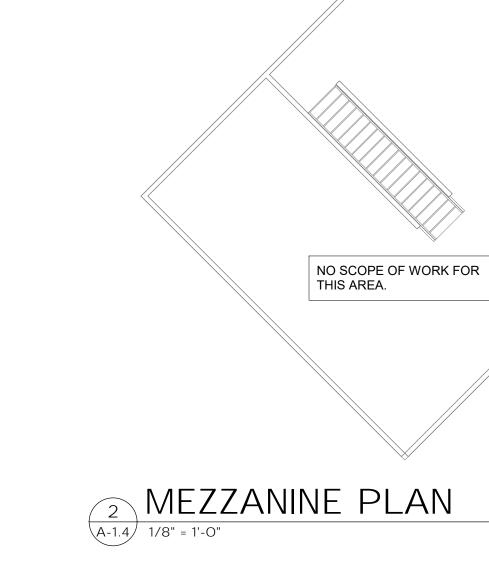
 A-1.2
 1/8" = 1'-0"

A-1.2



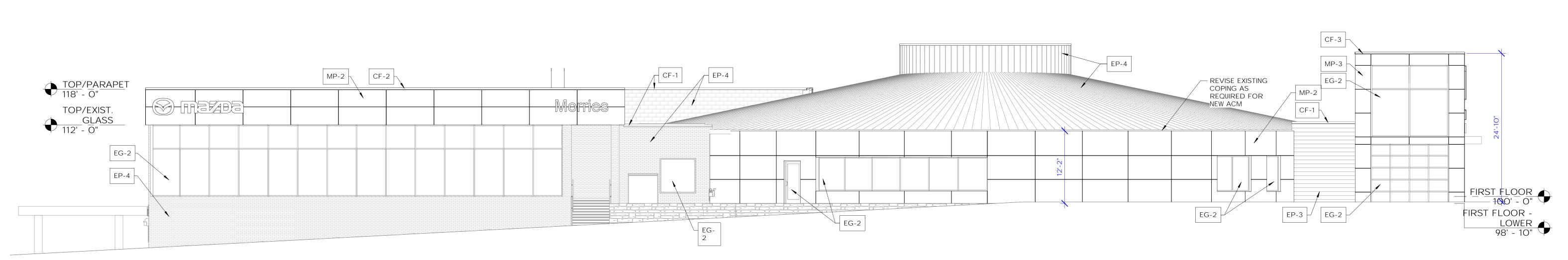




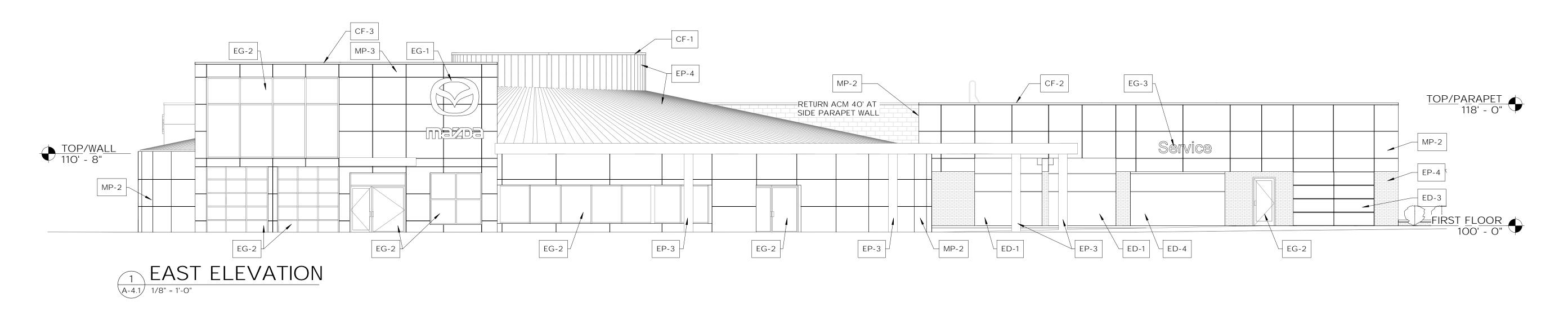




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RATIONS AND ADDITION FOR:	RRIES MAZDA	A, MINNESOTA		
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2 SOUTH ELEVATION A-4.1 1/8" = 1'-0"



MP- 2	METAL PANEL (ACM):	EP-3	EXTERIOR PAINT (OVER EXISTING WALL):	ED-1	OVERHEAD DOOR- ALUM. W/ GLAZING: EG-1	BUILDING EXTER
	MFR: REYNOBOND		PAINT TYPE: SHERLASTIC ELASTOMERIC COATING (OR EQUAL)		MANUFACTURER: OVERHEAD DOOR OR EQUAL	MANUFACTURER: PROVIDED & INST
	STYLE: DRY JOINT SYSTEM		COLOR: COLOR MATCH PPG PAINTS ONYX		STYLE: ALUMINUM W/ INSUL. GLAZING	888.856.7880
	JOINTS: TO BE 1/2" TESTED DRY JOINT SYSTEM WITH EXTRUSIONS TO MATCH PANELS		PPG1011-7		<u>GLAZING:</u> INSULATED, PPG, SOLARBAN 60, CLEAR	POWER REQUIRE
	(RAIN SCREEN SYSTEM)		LOCATION: -EXTERIOR WALLS			NOTE: CONTRAC
	COLOR: RB160PE WINTER WHITE	EP-4	EXTERIOR PAINT (OVER EXISTING WALL / ROOF):	ED- 2	EXISTING DOOR - PAINTED:	BLOCKING (BLOC WHERE EXPOSED
	LOCATION: EXTERIOR FACADE	_	PAINT TYPE: SHERLASTIC ELASTOMERIC		TYPE: HOLLOW METAL (EXISTING)	COLOR) INSTALL LOCATIONS WHEF
VIP- 3	METAL PANEL (ACM):		COATING (OR EQUAL)		PAINT COLOR: PAINT TO MATCH ADJACENT	
3	MFR: REYNOBOND		COLOR: COLOR MATCH PPG PAINTS FLAGSTONE PPG1001-4		WALL COLOR EG-2	DEALER NOTE: E MANUFACTURER:
	<u>STYLE:</u> DRY JOINT SYSTEM		LOCATION: "EXTERIOR WALLS & EXISTING	ED-	OVERHEAD DOOR- CAR WASH AIR DOOR:	SIGNAGE PROVIE 888.856.7880
	Joints: To be 1/2" tested dry joint	CF-1	ACM SYSTEM (WALL COPING):	3	MANUFACTURER: SUPRALIFT OR EQUAL	POWER REQUIRE
	SYSTEM WITH EXTRUSIONS TO MATCH PANELS (RAIN SCREEN SYSTEM)		MFR: EXISTING		STYLE: ALUMINUM W/ INSUL. GLAZING	REFER TO ELECT
	COLOR: RB160PE ELEGANT BLACK		FINISH/COLOR: PAINT TO MATCH EP-3		<u>GLAZING:</u> INSULATED, PPG, SOLARBAN 60, CLEAR	<u>NOTE:</u> CONTRAC ⁻ BLOCKING (BLOC
			LOCATION: AT ALL EP-3 FINISH LOCATIONS.		FINISH/COLOR:-CLEAR ANODIZED	WHERE EXPOSED
/IS-	MISCELLANEOUS STEEL (EXISTING):	CF-2	ACM SYSTEM (WALL COPING):	ED- 4	HIGH SPEED OVERHEAD DOOR- W/ GLAZING:	COLOR) INSTALL LOCATIONS WHEF
1	PAINT TYPE: SHERLASTIC ELASTOMERIC		MFR: ALPOLIC		MANUFACTURER: RYTEC OR EQUAL	PI ANS BUILDING EXTERI
	COATING (OR EQUAL)		FINISH/COLOR: FINISH & COLOR TO MATCH		STYLE: SPRIRAL FV	DEALER NOTE E
	PAINT COLOR: PAINT TO MATCH ADJACENT WALL COLOR		MP-2		<u>GLAZING:</u> MFR	SIGNAGE PROVIE 888.856.7880
	WALL COLOR	_	LOCATION: AT ALL MP-2 FINISH LOCATIONS.		FINISH/COLOR: CLEAR ANODIZED	POWER REQUIRE
G-2	ALUMINUM STOREFRONT SYSTEM (EXISTING):	CF-3	NOTE: REFER TO WALL SECTIONS & DETAILS.		NOTE: HIGH SPEED	REFER TO ELECT
	MFR: EXISTING		<u>COPING):</u>			NOTE: CONTRACT BLOCKING (BLOC
	STYLE: EXISTING		MFR: UNI-CLAD, PAC-CLAD OR EQUAL			WHERE EXPOSED COLOR) INSTALL
	<u>GLAZING:</u> EXISTING		FINISH/COLOR: FINISH & COLOR TO MATCH			LOCATIONS WHEF PLANS.
						DEALER NOTE: EX
	FINISH/COLOR: EXISTING, CLEAR ANODIZED		LOCATION: AT ALL MP-3 FINISH LOCATIONS			PURCHASED BY I SIGN MFR. VENDO
	LOCATION: EXISTING EXTERIOR GLAZING		NOTE: REFER TO WALL SECTIONS & DETAILS.			JIGIN IVIEK, VENDU

<u> KTERIOR SIGNAGE:</u>

RER: MAZDA SIGN - ALL SIGNAGE & INSTALLED BY"AGI" PH.

<u>UIREMENTS:</u> NO POWER

RACTOR TO PROVIDE REQUIRED (BLOCKING TO BE PAINTED, DSED, TO MATCH WALL PANEL TALL ACCESS PANELS AT WHERE NEEDED, REFER TO

<u>(Terior Signage:</u> <u>Te:</u> exterior signage is <u>RER:</u>[DEALER SIGN -.IALL | BY OVIDED & INSTALLED BY"AGI" PH.

<u>UIREMENTS:</u> POWER IS REQUIRED, LECTRICAL DRAWINGS.

RACTOR TO PROVIDE REQUIRED BLOCKING TO BE PAINTED, DSED, TO MATCH WALL PANEL TALL ACCESS PANELS AT WHERE NEEDED, REFER TO

<u> XTERIOR SIGNAGE:</u> TF FXTERIOR SIGNAGE IS RER: SERVICE SIGN - ALL BY ROVIDED & INSTALLED BY"AGI" PH.

<u>UIREMENTS:</u> POWER IS REQUIRED, LECTRICAL DRAWINGS.

RACTOR TO PROVIDE REQUIRED BLOCKING TO BE PAINTED, DSED, TO MATCH WALL PANEL TALL ACCESS PANELS AT WHERE NEEDED, REFER TO

<u>TE:</u> EXTERIOR SIGNAGE IS BY DEALER & INSTALLED BY /ENDOR.

CURTAIN WALL/ STOREFRONT NOTE: PROVIDE PREFINISHED ALUMINUM SLIP HEAD TO MATCH ALUMINUM STOREFRONT/ CURTAIN WALL SYSTEM.

PROVIDE PREFINISHED EXTRUDED ALUMINUM-THERMALLY BROKEN SILL FLASHING WITH END DAMS. INSTALL WITH A POSITIVE SLOPE AWAY FROM INTERIOR AND SET IN SEALANT AND INSTALL PER MANUFACTURER'S WRITTEN SPECIFICATIONS.

CONTROL JOINT NOTE: SPECIFICATIONS. PROVIDE MASONRY CONTROL JOINTS AS RECOMMENDED BY MASONRY CONTRACTOR AND BLOCK SUPPLIER. CONTROL JOINTS NOT

TO EXCEED 30'-O" MAX AND 20'-O" MIN.

ALL CONTROL JOINT LAYOUTS TO BE REVIEWED BY ARCHITECT/ ENGINEER AT TIME OF CONSTRUCTION/ SHOP DRAWING

SUBMITTAL.

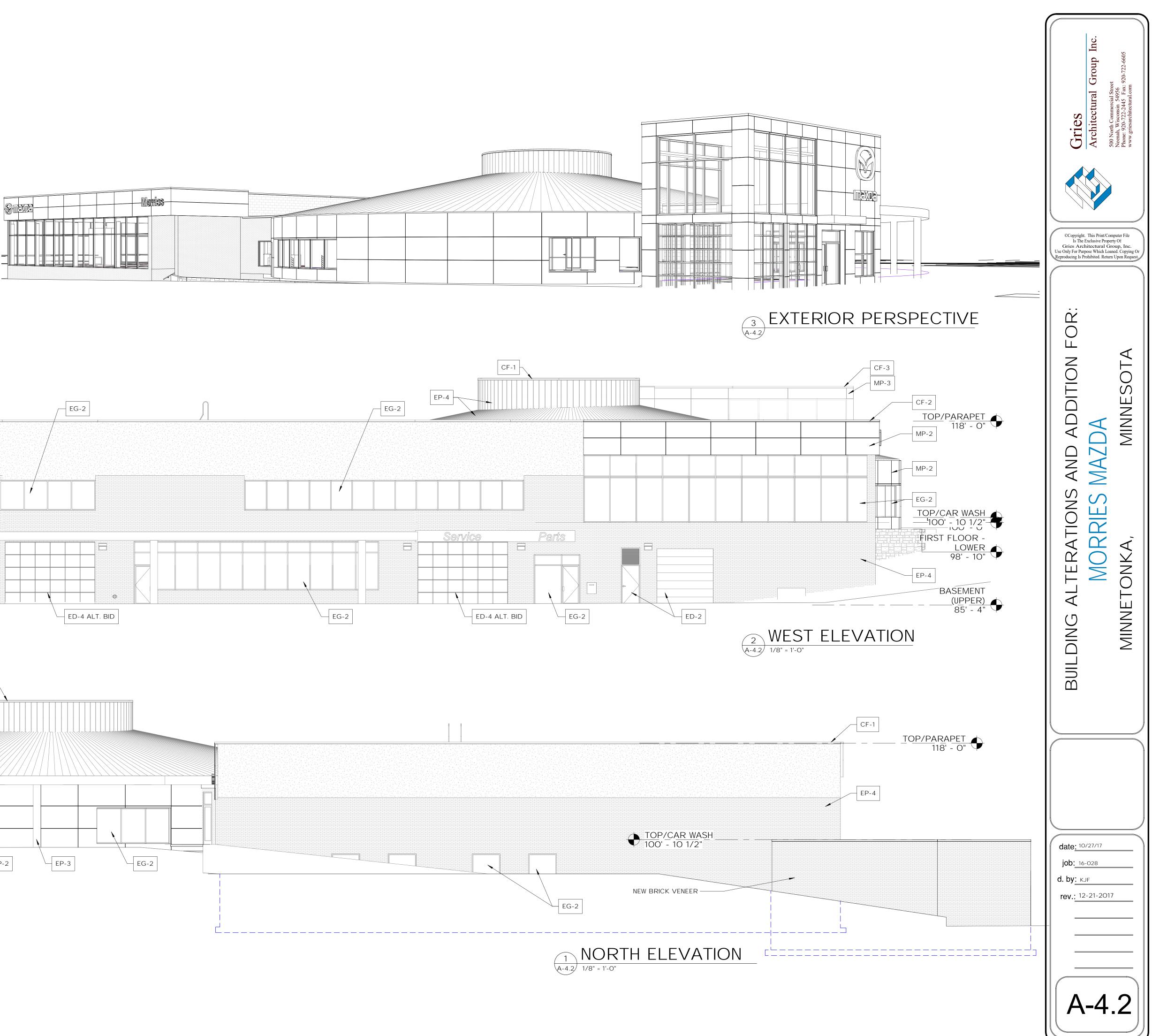
ALL ELEVATIONS AND LAYOUT ARE BASE ON STANDARD MODULAR BLOCK SIZES. -CONTRACTOR RESPONSIBLE FOR ANY SHEATHING FASTENER NOTE: RED IF THEY

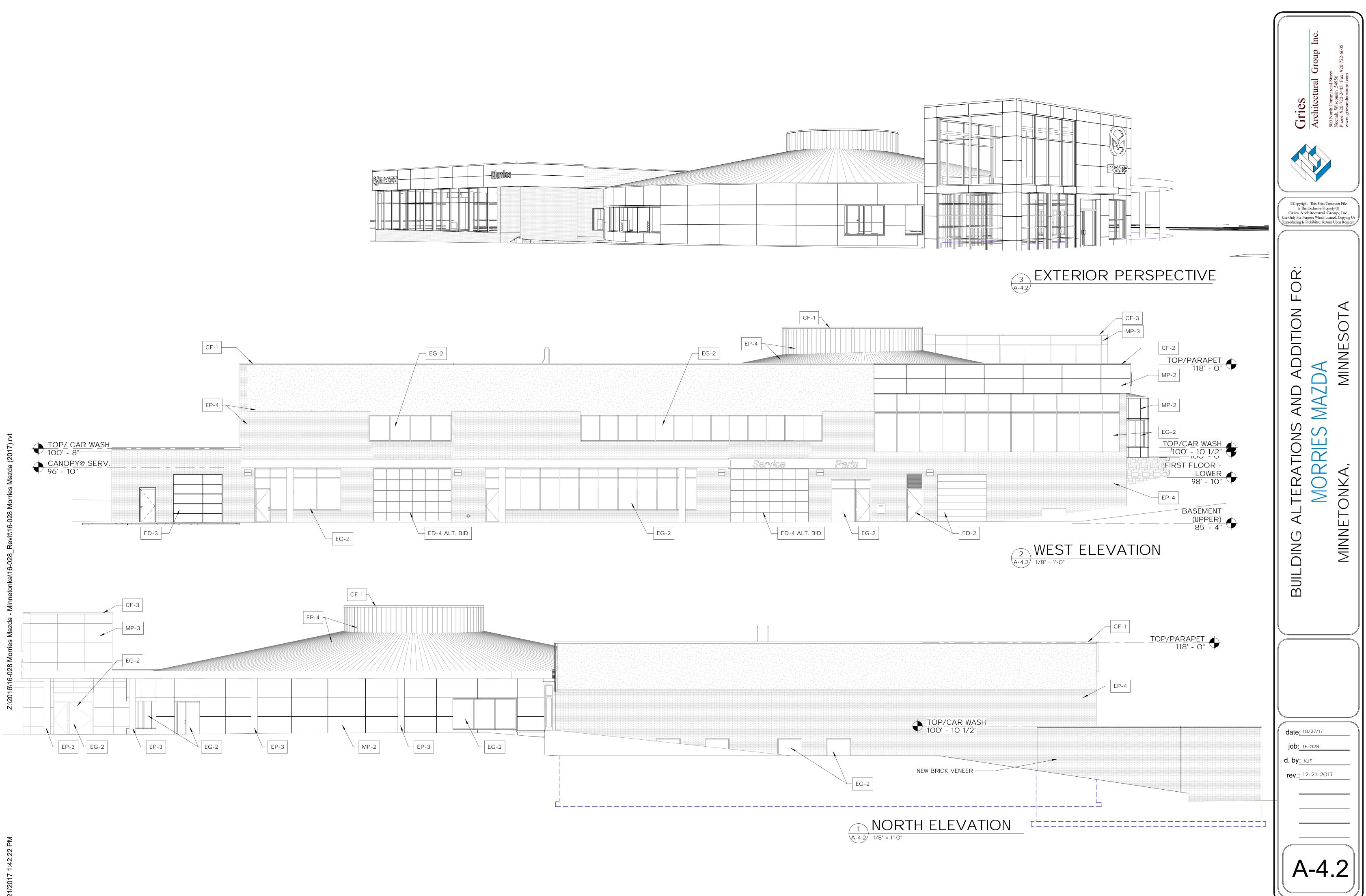
FASTEN ALL WOOD-BASED PANELS TO

COLD-FORM FRAMING W/ SELF-TAPPING CORROSION RESISTANT SCREWS.

PNEUMATICALLY DRIVEN PINS FOR WOOD-BASED PANEL ATTACHMENT WILL NOT BE -ACCEPTED.

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NEIGHBORHOOD COMMENTS

Lynette Carlson 1009 Horn Drive Minnetonka, MN 55305-1036

December 5, 2017

City of Minnetonka 14600 Minnetonka Blvd Minnetonka, MN 55345 Attn: Susan Thomas: Planning Division

Re: Proposed Morrie's Mazda Major Remodel

Dear Susan,

My name is Lynette Carlson and I own the home located behind Morrie's dealership at 1009 Horn Drive. Due to its location, my residence will be the most impacted by the site changes being proposed by the dealership. I would like to express to you the following concerns:

- 1) Morrie's already has a carwash in the northeast corner of the building. I am impacted by the noise generated by this carwash on a daily basis. The noise is audible throughout my home. It is especially annoying outside in my back yard which includes my deck area. I find it unacceptable that Morrie's is requesting a 11"9" variance into the existing minimal 50 ft setback to construct a second car wash that would be even closer to my residence. This would double the noise I am already experiencing. Section 300.07 in Minnetonka ordinance pertaining to variances states that a variance may be granted where the applicant is experiencing undue hardship. Taking into consideration that there is a functioning carwash on the premises, I do not see where undue hardship would apply in Morrie's situation. If the dealership feels another carwash is needed it can be located on another part of the property where no such variance is needed.
- 2) Noise from the dealership is an issue in many ways. There is a large gas storage container to my backyard, cars are filled up with gas and there is gas delivery. Then there is also their dumpster to the northwest corner, where metal parts are dumped into the dumpster at 400 am daily. The dumpsters are loud and shaken when emptied by the sanitation trucks daily. Car carriers are routinely making deliveries in the middle of the night. The delivery process results in the slamming and banging of chains and ramps as the cars are offloaded. The dealership routinely utilizes the vehicles theft deterrent systems to set off the horns in order to locate the vehicles.
- 3) The back of the dealership is unsightly and poorly maintained. The primary buffer between the dealership and my home is marginal landscaping that consists of dead trees and buckthorn. The back of the dealership is utilized for storage of excess

equipment and vehicles. The lack of a properly maintained buffer allows this unsightly mess to be viewed from my home. The pond area to the north is littered with debris from the dealership and can be seen from our neighborhood entry road spring and fall. Morrie's history of compliance with provisions that were agreed upon has not been good.

4) Another variance of 10'1" into the 50 ft setback is being requested to relocate the trash enclosure as a result of the proposed carwash. This is a large property I'm confident that the trash enclosure could be relocated on site without a variance

Thank You,

Lynette Carlson

John K. Wallace 1001 Horn Drive Minnetonka, MN. 55305-1036

December 7, 2017

City of Minnetonka Planning Dept 14600 Minnetonka Blvd Minnetonka, MN. 55345 Attn: Susan Thomas

Hello Susan,

Subject: Proposed Morrie's Minnetonka Renovation

I am writing in regard to Morrie's proposed 'improvements" for the dealership located at 13700 Wayzata Blvd. My initial thought was to question the construction of a carwash considering that there is already a functioning carwash on site, but then I noticed that it included a variance request into the 50 ft setback on the north side of the building. Over the years it seems that whenever there is a proposed upgrade at this site, whether it be the fictitious Bentley/Maserati Building or a remodel of the men's room, it always seems to include a variance request on the north side of the building.

When the dealership constructed this building in 1998 they elected to have it directly abut the minimum 50 foot setback and ever since then they have proposed plans to encroach into it. I believe their ultimate goal is to establish a driveway on the north side of the building. I also question their request for a variance on the east or the lot. For the most part this is a natural drainage area and buffer. The dealerships current site plan already allows for considerable expansion. If they need an additional carwash I'm sure they can find an area to construct it without variances. When completed, could you also please e-mail me a copy of the completed staff report for this project

Thank you,

John K. Wallace

Resolution No. 2018-

Resolution approving a minor amendment to an existing master development plan for a car wash addition at 13700–13712 Wayzata Boulevard

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 with the Planned I-394 (PID) zoning district at 13700–13712 Wayzata Boulevard. It is legally described on Exhibit A of this resolution.
- 1.02 In 1993, the city council granted several approvals to the automobile dealership located on the subject properties. The approvals included: master development plan, final site and building plans, and conditional use permits, with variances, for outdoor display, sales, and storage.
- 1.03 In 1996, the master development plan was amended to allow for a building footprint and size different than approved in 1993.
- 1.04 Morrie's Minnetonka MRE, LLC. is proposing to construct a single-stall car wash addition on the northwest corner of the existing dealership building. The proposal requires the approval of a minor amendment to the existing master development plan.
- 1.05 On January 4, 2018, the planning commission held a hearing on the proposal. The applicant was provided the opportunity to present information to the commission. The commission considered all of the comments received and the staff report, which are incorporated by reference into this resolution.

- Section 2. Standards.
- 2.01 City Code §300.31 Subd.10 outlines various changes to an approved master development plan that would be considered major amendments. Any change that does not reach this major amendment threshold is considered a minor amendment.
- 2.02 City Code §300.31 Subd.7(a)(1) requires that buildings within the PID zoning district be set back a minimum of 50 feet from lot lines abutting lands designated for low density residential development.
- Section 3. Findings.
- 3.01 Under City Code §300.31 Subd.10, the applicant's proposal is considered a minor amendment to the existing master development plan.
- 3.02 The proposed car wash addition would meet setback standards as outlined in City Code §300.31 Subd.7(a)(1), as well as the setback standards established in the 1993 master development plan and 1996 amendment.
- Section 4. Planning Commission Action.
- 4.01. The planning commission hereby approves the amendment to the existing master development plan. Approval is based on the findings outlined in Section 3 of this resolution and is subject to the following conditions:
 - 1. Subject to staff approval, the site must be developed and maintained in substantial conformance with the following plans, except as modified by the conditions below:
 - Site Plan, dated December 21, 2017
 - Landscape Plan, dated December 21, 2017
 - 2. Prior to issuance of a building permit:
 - a) This resolution must be recorded at Hennepin County.
 - b) Submit final site, grading, stormwater management, utility, landscape, and tree mitigation plans, and a stormwater pollution prevention plan (SWPPP) for staff approval.
 - 1) Final grading plan must:

- a. Minimize adjacent tree loss and impacts. Trees to be removed must be clearly identified for staff review and approval.
- b. Include calculations of site disturbance. If the proposal includes more than 50 cubic yards of fill/excavation or 5,000 square feet of site disturbance, a stormwater management plan will be required.
- Final stormwater management plan if required must meet city rules rate, volume, and water quality criteria for new impervious surface.
- 3) Final landscape and tree mitigation plans must meet minimum landscaping and mitigation requirements as outlined in ordinance. However, at the sole discretion of natural resources staff, mitigation may be adjusted based on site conditions.
- c) Submit a stormwater maintenance agreement, if stormwater management is required.
- d) 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.
- Submit an individual letters of credit or cash escrow for 125% e) of a bid cost or 150% of an estimated cost to construct stormwater management facilities, meet landscaping requirements and to restore the site. One itemized letter of credit is permissible, if approved by staff. The city will not fully release the letters of credit or cash escrow until: (1) as-built drawings have been submitted; (2) a letter certifying that the underground facility has been completed according to the plans approved by the city has been submitted; (3) vegetated ground cover has been established; and (4) required landscaping or vegetation has survived one full growing season.
- f) Submit 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

Page 4

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.
- g) Install erosion control, and tree protection fencing and any other measures identified on the SWPPP for staff inspection. These items must be maintained throughout the course of construction.
- 3. The car wash must be equipped with technology to ensure that the drying function is completed prior to opening of the car wash door.
- 4. The property owner is responsible for replacing any required landscaping that dies.
- 5. Construction must begin by December 31, 2019, unless the planning commission grants a time extension.

Adopted by the Planning Commission of the City of Minnetonka, Minnesota, on January 4, 2018.

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 4, 2018.

Kathy Leervig, Deputy City Clerk

EXHIBIT A

Parcel I:

That part of the South 476 feet of the East 50 feet of the Southeast 1/4 of the Northwest 1/4 of Section 3, Township 117, Range 22, Hennepin County, Minnesota, which lies northerly of the Northerly right-of-way line of U.S. Highway No. 12 as described in the Partial Final Certificate recorded in the Office of the County Recorder as Document No. 3590915.

Abstract Property Parcel 2:

That part of the South 1/2 of the Northwest 1/4 of Section 3, Township 117, Range 22, Hennepin County, Minnesota, described as follows:

Beginning at a point in the East line of said South 1/2 of the Northwest 1/4 which is 478 feet north of the Southeast corner; thence west parallel with the South line of said South 1/2 of the Northwest 1/4 a distance of 50 feet to the point of beginning of the land to be described; thence at an angle of left 0 degrees 04 minutes 20 seconds a distance of 268 feet; thence at an angle left 79 degrees 04 minutes to the North line of U.S. Highway No. 12; thence East 345 feet on the North line of U.S. Highway No. 12; thence East line of said South 1/2 of the Northwest 1/4 thence north parallel with said East line 428 feet to the point of beginning, which lies Northerly of the Northerly right—of—way line of U.S. Highway No. 12 as described in the Final Certificate recorded in the Office of the County Recorder as Document No. 3763766.

Abstract Property

Parcel 3:

That part of the Southeast Quarter of the Northwest Quarter of Section 3, Township 117, Range 22, Hennepin County, Minnesota, described as follows:

Beginning at the Southeasterly corner of Lot I, Black 3, Knallway; thence Westerly along the Southerly line of said Lot I to the Southwesterly corner of said Lot I; thence South along the East line of Horn Drive shown as Knoll Ridge Road on the plat of Knollway, a distance of 403.11 feet more or less to the Northerly right-of-way line of U.S. Highway No. 12 as described in Parcel 3B of the Final Certificate recorded in the office of the County Recorder as Document No. 3763766; thence Easterly along said Northerly right-of-way line to its intersection with the Southerly extension of the Easterly line of said Lot I; thence Northerly along said extension a distance of 305.68 feet more or less to the point of beginning.

Registered Property Certificate of Title No. 819080