

City Council Agenda Item #10
Meeting of July 22, 2019

Brief Description	Resolution approving the preliminary plat of CONIFER HEIGHTS, 6-lot subdivision of existing properties at 5615 Conifer Trail and 5616 Mahoney Ave
Recommendation	Adopt the resolution approving the preliminary plat

Background

The roughly 1.4-acre development site is comprised of two properties – 5615 Conifer Trail and 5616 Mahoney Ave. Capital Development, LLC, is proposing to remove existing structures from the site and divide the combined property into six residential lots. Five of the new lots would be accessed via a newly constructed extension of Conifer Trail. The remaining lot would be accessed via Mahoney Ave.

Planning Commission Review and Recommendation

The planning commission considered the proposal on July 11, 2019. Staff recommended approval noting that the proposal would meet all standards of the subdivision and tree protection ordinances. The staff report and meeting minutes are attached.

At the meeting, a public hearing was opened to take comments. Several area residents addressed the commission with questions and concerns:

- **Drainage.** Residents noted that there are on-going drainage issues related to an existing basin located southwest of the site. Staff indicated that the proposal: (1) would need to meet the city's stormwater management rules; and (2) may present an opportunity to outlet the landlocked basin, thereby improving an existing condition.
- **Construction.** Residents expressed concerns related to access to their homes during construction and the timeliness of the site build-out. Staff pointed out that a construction management plan would be required as a condition of approval. While the city has some control over the timeline of public infrastructure construction, it cannot dictate how soon lots must be sold and homes constructed.
- **Landscaping.** Residents requested input on tree mitigation and new plantings. City staff encourages the developer to work with adjacent neighbors on this issue. However, because landscaping is not a requirement between residential properties, the city cannot require that this occur.

The planning commission asked questions similar to those of those giving public testimony. On a 6-0 vote, the commission recommended the city council approve the preliminary plat.

Staff Recommendation

Staff recommends the city council adopt the resolution approve the preliminary plat of CONIFER HEIGHTS.

Submitted through

Geralyn Barone, City Manager
Julie Wischnack, AICP, Community Development Director
Loren Gordon, AICP, City Planner

Originated by:

Susan Thomas, AICP, Assistant City Planner

MINNETONKA PLANNING COMMISSION
July 11, 2019

Brief Description Resolution approving the preliminary plat of CONIFER HEIGHTS, 6-lot subdivision of existing properties at 5615 Conifer Trail and 5616 Mahoney Ave

Recommendation Recommend the city council adopt the resolution approving the preliminary plat

Background

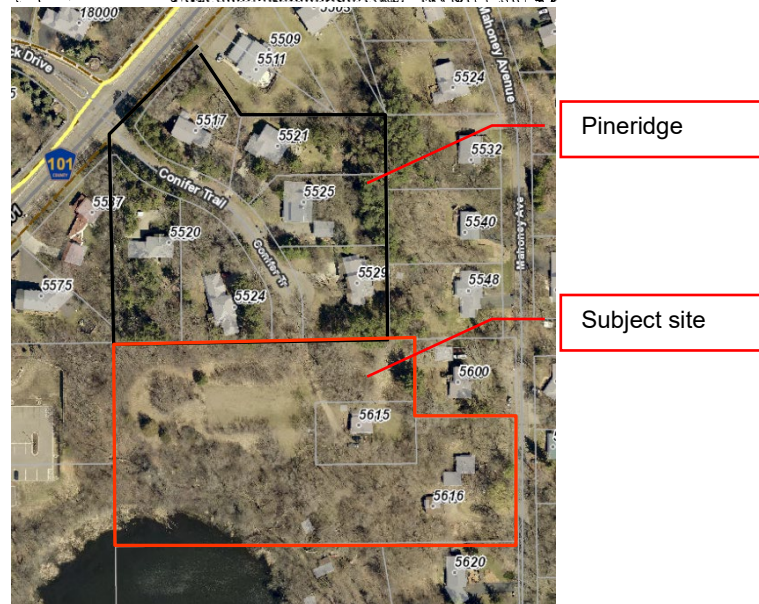
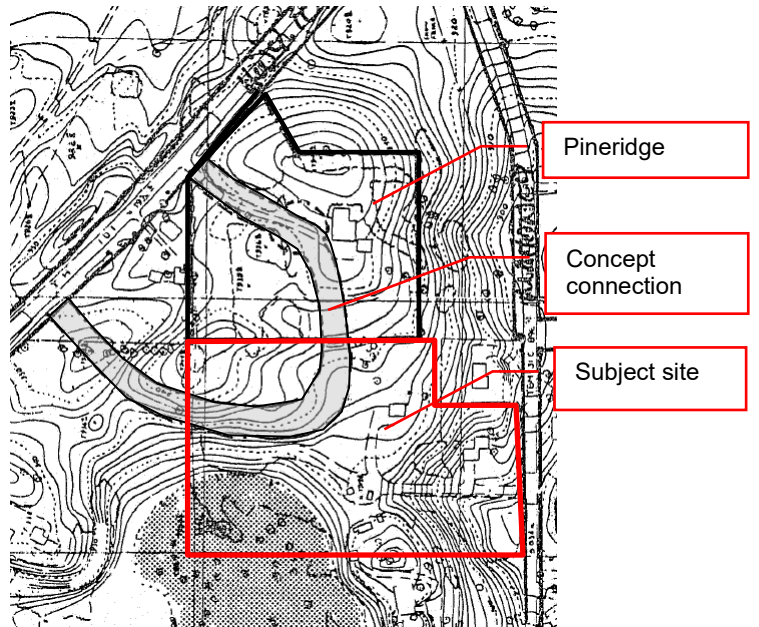
The subject site is comprised of two properties – 5615 Conifer Trail and 5616 Mahoney Ave – and is located east of County Road 101.

In 1984, the city reviewed the subdivision to the north of the subject site, PINERIDGE. At the time, the city envisioned a potential looped connection of Conifer Trail through the subject site back to County Road 101. The PINERIDGE developer worked with the city to allow access for future development.

The city ultimately approved the PINERIDGE subdivision with right-of-way platted to the southern property line. The approval included a temporary cul-de-sac at the terminus of Conifer Trail to allow reasonable access to PINERIDGE until future development occurred. Stormwater, from the six PINERIDGE properties, was directed into a temporary retention pond at the end of the temporary cul-de-sac with the intent that the stormwater would eventually be incorporated into the subject site’s stormwater plan or city utility services.

Since the looped connection concept was developed, Minnetonka Public Schools, ISD #276 purchased the western property and constructed a district service center. A looped connection is no longer possible.

Based on aerial photography, it does not appear the stormwater basin required by the 1984 approvals was constructed.



Proposal Summary

The following information is intended to summarize the proposal submitted by Capital Development, LLC. Additional information associated with the proposal can be found in the “Supporting Information” section of this report.

- **Existing Site Conditions.** The subject site is approximately 4.4 acres in size. The highest point of the property is in the northwest corner of the site and the property slopes downward towards the Manage 1 wetland in the southwest corner of the site and to Mahoney Ave to the east. The site is not a woodland preservation area but has 12 high-priority trees and 115 significant trees.
- **Proposed Lots.** As proposed, the existing structures would be removed, and six new single-family homes would be constructed. All of the lots would meet minimum lot standards and would range in size from 22,495 square feet to 36,065 square feet. Five of the new homes would have access to a newly constructed cul-de-sac extension of Conifer Trail. The remaining lot would have access via Mahoney Ave.
- **Site impacts.** The temporary cul-de-sac of Conifer Trail would be removed to construct an extension of the cul-de-sac into the site. Grading would then occur to allow for the construction of the new homes and driveways.

Utilities. Sanitary sewer utilities would be extended from Mahoney Ave into the site. Water and stormwater utilities would be extended from Conifer Trail into the site. Stormwater would be collected and conveyed to a proposed stormwater basin in the southeast corner of the site.

Trees. The proposed grading would result in the removal of, or substantial impact, to 33-percent of the site’s high priority trees. The trees onsite are generally of the box elder, elm, poplar, cherry, ash, and oak varieties.

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 CONIFER HEIGHTS and staff’s findings:

- **Are the proposed lots reasonable?**

Yes. The proposed lots would meet all minimum size and dimensional standards as outlined in city code. The submitted plans indicate that a stormwater facility would be on an outlot. Following a discussion with city staff, the developer has since decided to incorporate the outlot into Lot 6.

Lot	AREA		WIDTH		
	Total	Buildable *	ROW	Setback	
CODE	22,000 sf	3,500 sf	80 ft, but 65 ft at cul- de-sac bulb	110 ft	125 ft
1	27,690 sf	24,220 sf	159 ft	116 f	215 ft

2	32,361 sf	22,400 sf	68 ft	114 ft	215 ft
3	33,255 sf	14,885 sf	80 ft	162 ft	125 ft
4	24,318 sf	16,390 sf	75.5 ft	114 ft	163 ft
5	22,493 sf	17,565 sf	131 ft	126 ft	178 ft
6**	36,063 sf	13,585 sf	200 ft	200 ft	179 ft

* Area rounded to nearest 5 ft

** includes the outlot which would be incorporated into the lot

- **Does the proposal align with the city’s development concept?**

Yes. The intent of the conceptual connection developed during the review of the PINERIDGE subdivision was to provide for orderly and thoughtful redevelopment of the subject site. The plan indicated that a looped connection would extend from County Road 101 from the north, through the subject site, and loop back west back to County Road 101. Since the development of the concept, the Minnetonka School District purchased and developed the property to the west. This, coupled with the topography on the west side of the subject site, would make a looped connection unlikely at this time. As such, the extension of the cul-de-sac would meet the intent of the concept and would result in less site impact than the original concept.

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

Yes. The proposed subdivision has been reviewed to ensure conformance with the city’s tree protection ordinance, which regulates tree removal and mitigation. Woodland preservation areas (WPA) have the highest level of protection during the subdivision of a property. During subdivision, no more than 25-percent of the WPA and 35-percent of the property’s high priority trees may be removed or impacted by the development. There are no WPAs on the site. However, there are 12 high priority trees and 115 significant trees. The subdivision would comply with the city’s tree protection ordinance.

Trees	Existing	Number Removed	Percent Removed
High-priority	12	4	33%
Significant	115	86	75%

Staff Recommendation

Recommend the city council adopt the resolution approve the preliminary plat of CONIFER HEIGHTS.

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

Supporting Information

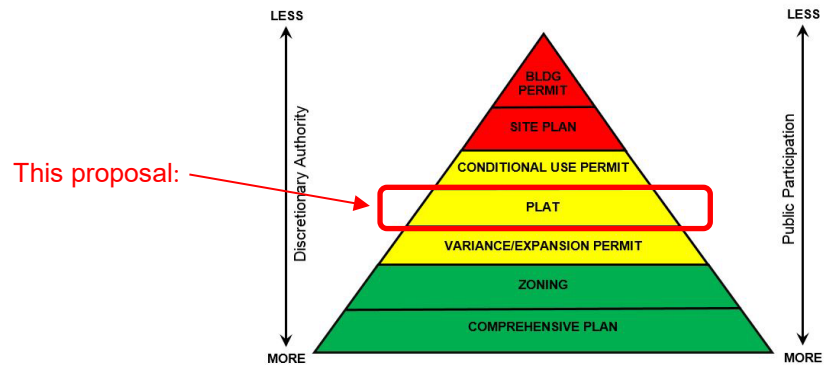
Project No.	19016.19a
Property	5615 Conifer Trail and 5616 Mahoney Ave
Applicant	Capital Development, LLC
Surrounding Land Uses	Properties to the north, east and south are improved with single family homes, zoned R-1, and guided for low-density residential. Property to the west is the district service center, zoned R-1, guided low density and institutional.
Planning	Guide Plan designation: Low density residential Zoning: R-1
Wetland	There is a wetland complex with associated floodplain in the southwest corner of the site. The submitted plans indicate that the proposed homes would comply with required setbacks. Staff will evaluate final building permit plans to ensure conformance.
Grading and Stormwater	<p>In order to evaluate the impacts of the anticipated grading, the city requires that all subdivision applications illustrate general home footprints and associated grading plans for each of the homes must occur in substantial conformance with the final grading plan.</p> <p>The general grading plan indicates that grading would occur to build new homes and driveways. Grading associated with the stormwater basin in the southeast corner of the site would also occur.</p> <p>Staff is continuing to evaluate the PINERIDGE approvals, and the proposed CONIFER HEIGHTS plan to determine if all of the conditions are met.</p>
Outlot	The plans indicate the stormwater basin would be located on an outlot south of Lot 6. Staff has indicated to the developer that the city no longer prefers outlots be part of subdivisions. The developer has indicated that the outlot could be incorporated into Lot 6. This has been included as a condition of approval.
PINERIDGE cul-de-sac	The temporary cul-de-sac at the terminus of Conifer Trail would be removed in order to extend the cul-de-sac. The temporary easement associated with the existing terminus would also terminate. As a condition of approval, the developer must work with the adjacent property owners to restore yards and driveways to be consistent with the city's driveway ordinance.
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.

Approval

The planning commission makes a recommendation to the city council, which has the final authority to approve or deny the request.

Pyramid of Discretion



Motion Options

The planning commission has the following options:

1. Concur with staff's recommendation. In this case, a motion should be made recommending the city council approve the proposal based on the findings outlined in the staff-drafted resolution.
2. Disagree with staff's recommendation. In this case, a motion should be made recommending the city council deny the proposal. The motion should include findings for denial.
3. Table the request. In this case, a motion should be made to table the item. The motion should include a statement as to why the request is being tabled with direction to staff, the applicant, or both.

Neighborhood Comments

The city sent notices to 23 area property owners and received no comments.

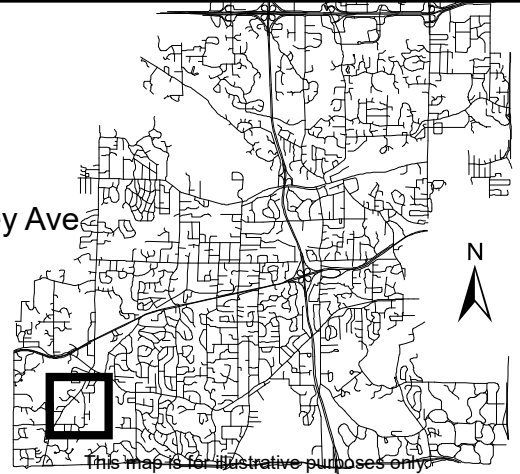
Deadline for Decision

Sept. 17, 2019



Location Map

Project: Conifer Heights
Address: 5615 Conifer Tr & 5616 Mahoney Ave



This map is for illustrative purposes only.



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March 23, 2019

City of Minnetonka, MN
14600 Minnetonka Boulevard
Minnetonka, MN 55345

RE: Preliminary Plat Approval – Conifer Heights

To Whom It May Concern:

We are pleased to submit this application for Preliminary Plat Approval for the proposed Conifer Heights Subdivision, a 6-lot single family residential development, located at 5615 Conifer Trail and 5616 Mahoney Ave.

Enclosed is the project narrative, civil plans, and stormwater management plan. The application fee and signed application has been provided under separate transmittal.

We are excited to bring this project to Minnetonka and look forward to working with you to make it a success. If you have any questions about this package, please call Jack Ammerman at 763-252-6897.

Sincerely,

Wenck Associates, Inc.

A handwritten signature in black ink that reads 'Jack Ammerman'.

Jack Ammerman
Project Manager
Civil Engineer

enc: project narrative, civil drawings

CC: Fred Stelter

May 23rd, 2019

City of Minnetonka, MN
14600 Minnetonka Boulevard
Minnetonka, MN 55345

Conifer Heights – Project Narrative

Background

The proposed Conifer Heights subdivision is a 6-lot single family development located at 5615 Conifer Trail and 5616 Mahoney Ave Minnetonka, MN. The proposed development will replat the two parcels to provide for a new public roadway extension, six new single-family lots, a public stormwater management basin, and new sanitary, water, and storm utilities. The existing parcels contain two single-family homes that will be demolished for the development.

Site

The existing condition of the site is mostly vacant woodland with two single-family homes on each parcel. The existing homes, garages, and appurtenances will be demolished to allow for Conifer Trail to be extended into the site with a new cul-de-sac. A 14,000 sf outlot in the southeast corner of the development will be dedicated to the City for use as a stormwater management area.

The site is approximately 4.67 acres and zoned R-1, Low Density Residential. The proposed development fits within the required parameters of the R-1 district and is consistent with the existing zoning and land use for the area. The proposed parcels meet the requirements of the R-1 District per the tables below.

SITE ANALYSIS TABLE		
5616 MAHONEY AVE & 5615 CONIFER TR MINNETONKA, MN 55345		
EXISTING ZONING	R-1, LOW DENSITY RESIDENTIAL	
PROPOSED USE	RESIDENTIAL HOUSING	
SETBACK SUMMARY	BUILDING	
FRONT / STREET ROW	35'	
SIDE	10'	
SIDE	SUM OF SIDE SETBACKS \geq 30'	
REAR	40' OR 20% OF LOT DEPTH	
LOT AREA MINIMUM	22,000	
LOT WIDTH MINIMUM	110 AT SETBACK	
LOT DEPTH MINIMUM	125'	
MAX. BUILDABLE AREA	3,500 SF	
MAX. HEIGHT	35'	
MAX. DRIVEWAY WIDTH	TWO-CAR GARAGE	THREE-CAR GARAGE
	20'	30'

SITE DIMENSION TABLE					
LOT	LOT AREA (SF)	SETBACK LOT WIDTH (LF)	ROW LOT WIDTH (LF)	LOT DEPTH (LF)	BUILDABLE AREA (SF)
LOT 1	27,690	112.4	112.6	332.5	3,500
LOT 2	27,873	112.4	78.0	214.2	3,500
LOT 3	22,764	177.5	95.8	130.7	3,500
LOT 4	24,318	115.1	83.3	162.2	3,500
LOT 5	22,493	126.8	126.8	179.0	3,500
LOT 6	22,038	122.7	122.7	179.6	3,500

The proposed development disturbs approximately 3.25 acres and proposes to install approximately 1.0 acres of new impervious area at ultimate build out, which includes the building footprints and public street.

Access and Parking

Site access is provided via extending Conifer Trail south into the development with a new cul-de-sac. Roughly 15,700 SF of public right of way will be dedicated to the City for this extension.

Lots one through five will be provided frontage off of the extended Conifer Trail, while lot six will have frontage along Mahoney Avenue. Each lot will have a private driveway and garage for residential vehicles parking.

Landscape and Tree Preservation

The proposed landscape plan addresses the City of Minnetonka requirements for overstory tree plantings. A tree survey was conducted for the site and has been provided with the submittal documents.

A tree preservation plan has been created showing the existing trees on the property, High Priority Trees, and Significant Trees per City Code. The plan has been included within the submittal documents to show that the proposed development impacts 4 High Priority trees, which is 35% of those on site.

Grading and Drainage

Proposed site grades are generally between 1.5% and 4.5% within the street and driveways. Landscape grades vary but do not exceed 3:1. All runoff from impervious driveways and street will be collected via storm sewer and conveyed to the proposed stormwater treatment system in the southeast corner of the site.

Wetland

A wetland is located in the southwest corner of the development and was delineated by Wenck Associates on 10/2/2018. The required 25' buffer and 10' buffer setback has been incorporated

into the development plans. MnRAMs for the wetland and the WCA approval have been included in the submittal for review.

Stormwater Treatment

The City of Minnetonka requires stormwater treatment to be provided for all new development. The existing site typical falls from west to east, with runoff discharging into the southwest wetland and sheet flowing overland to Mahoney Avenue. The proposed development will collect impervious runoff and direct stormwater to a new infiltration basin in the southeast. This basin is sized to meet rate control for the development and provide infiltration per City requirements for the 1.1" water quality volume. A P8 model run was conducted that shows the proposed infiltration basin provides 60% TP and 90% TSS removal per City requirements. A forebay and sumped manholes are provided for pretreatment. The basin discharges further west to an existing wetland on the east side of Mahoney Avenue.

Utilities

The proposed development will provide a new public 8" sanitary sewer main from the extended Conifer Trail that ties into the existing sanitary sewer within Mahoney Avenue. A new 6" watermain loop will run parallel to the sanitary sewer, connecting the existing watermain within Conifer Trail and Mahoney Ave. Each new lot will have residential services pulled from the new utility mains.

PRELIMINARY CIVIL CONSTRUCTION PLANS

FOR

CONIFER HEIGHTS RESIDENTIAL

MAY 2019

CITY OF MINNETONKA
HENNEPIN COUNTY, MINNESOTA

OWNER

CAPITAL DEVELOPMENT LLC
14505 43RD AVE N
PLYMOUTH, MN 55446
(P) - 612-325-7414
CONTACT: FRED STELTER

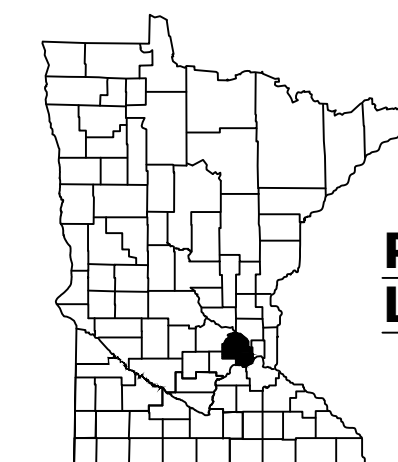
ENGINEER



WENCK ASSOCIATES, INC.
1800 PIONEER CREEK CENTER
MAPLE PLAIN, MN 55359
(P) - 763-479-5126
CONTACT: JARED WARD, P.E.



VICINITY MAP
NOT TO SCALE



PROJECT LOCATION
CITY: MINNETONKA
COUNTY: HENNEPIN

SHEET INDEX	
SHEET NUMBER	SHEET TITLE
G-101	COVER SHEET
G-102	SURVEY
G-103	TREE SURVEY
G-103	TREE PRESERVATION PLAN
C-101	EXISTING CONDITIONS
C-102	SITE PLAN
C-201	PRE CONSTRUCTION EROSION CONTROL AND DEMOLITION PLANS
C-202	POST CONSTRUCTION EROSION CONTROL PLAN
C-301	GRADING PLAN
C-401	UTILITY PLAN
C-801	DETAILS
C-802	DETAILS
C-803	DETAILS
C-804	DETAILS
C-805	DETAILS
L-100	LANDSCAPE PLAN
L-101	LANDSCAPE DETAILS AND NOTES



1800 PIONEER CREEK CENTER
MAPLE PLAIN, MN 55359
PHONE: 763-479-4200
FAX: 763-479-4242
WWW.WENCK.COM

CLIENT:

CAPITAL DEVELOPMENT LLC

PROJECT TITLE:
CONIFER HEIGHTS RESIDENTIAL
5616 MAHONEY AVE AND 5615 CONIFER TRAIL
MINNETONKA, MN 55345

DATE	DESCRIPTION	ISSUE NO.
03/08/2019	PRELIMINARY CONCEPT	1
05/09/2019	PRELIMINARY PLAN CHECKSET	2

CERTIFICATION:
I HEREBY CERTIFY THAT THIS PLAN SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

LICENSE NO.:
DATE:

PROJECT NO.: 7775-0001

DWN BY: JTP CHKD BY: JRA APPD BY: SKH

ISSUE DATE: 05-09-2019

ISSUE NO.: 2

SHEET TITLE:

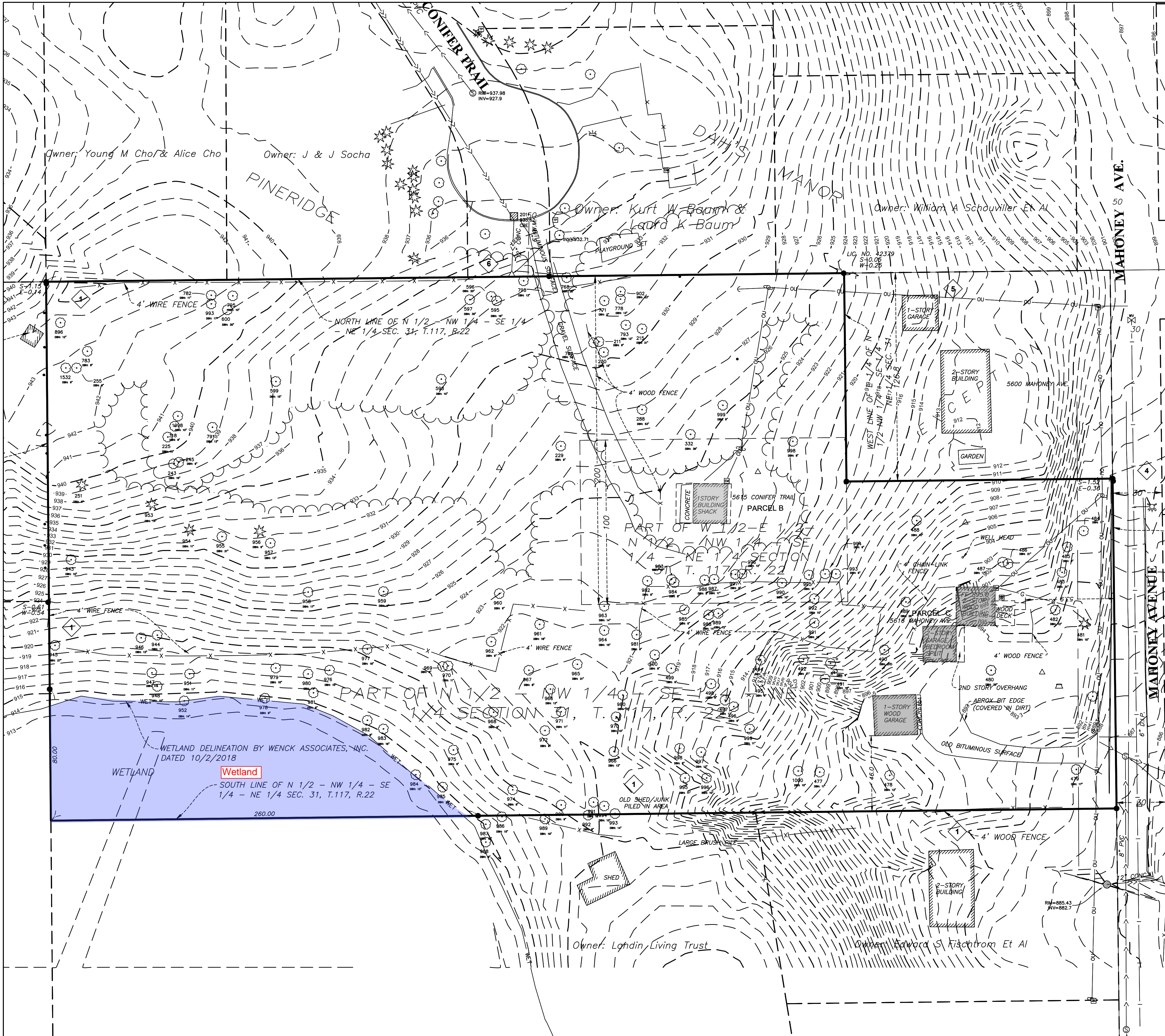
COVER SHEET

SHEET NO.:

G-101

5/23/2019 2:36:34 PM

M:\7775 Lagary Homes\001 - Mahoney Residential\5. DESIGN1 - CAD\3 PLANSHEETS\C-101 Existing Conditions.dwg



EXISTING CONDITIONS

---	PROPERTY LINE
- - - -	EASEMENT LINE
- - - -	EXISTING MINOR CONTOUR
- - - -	EXISTING MAJOR CONTOUR
---	EXISTING CURB AND GUTTER
---	EXISTING EDGE OF PAVEMENT
- - - -	EXISTING EDGE OF GRAVEL
---	EXISTING EDGE OF BUILDING
---	EXISTING TREE LINE
---	EXISTING CONCRETE
---	EXISTING SANITARY SEWER
---	EXISTING STORM SEWER
---	EXISTING WATERMAIN
X - X -	EXISTING FENCE
OU - OU -	EXISTING OVERHEAD ELECTRIC LINE
UE - UE -	EXISTING UNDERGROUND ELECTRIC LINE
G - G -	EXISTING GAS LINE
COM - COM -	EXISTING COMMUNICATION LINE
---	EXISTING SANITARY MANHOLE
---	EXISTING FIRE HYDRANT
---	EXISTING GATE VALVE
---	EXISTING STRUCTURE
---	EXISTING POWER POLE
---	EXISTING TREE
---	EXISTING GAS METER
---	EXISTING COMMUNICATION LINE

WARNING:
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING FOR LOCATIONS OF ALL EXISTING UTILITIES. THEY SHALL COOPERATE WITH ALL UTILITY COMPANIES IN MAINTAINING THEIR SERVICE AND/OR RELOCATION OF LINES.
 THE CONTRACTOR SHALL CONTACT GOPHER STATE ONE CALL AT 651-454-0002 AT LEAST 48 HOURS IN ADVANCE FOR THE LOCATIONS OF ALL UNDERGROUND WIRES, CABLES, CONDUITS, PIPES, MANHOLES, VALVES OR OTHER BURIED STRUCTURES BEFORE DIGGING. THE CONTRACTOR SHALL REPAIR OR REPLACE THE ABOVE WHEN DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.
 CALL BEFORE YOU DIG
GOPHER STATE ONE CALL
 TWIN CITY AREA: 651-454-0002
 TOLL FREE 1-800-252-1166

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 MAPLE PLAIN, MN 55359
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CLIENT:
CAPITAL DEVELOPMENT LLC

PROJECT TITLE:
CONIFER HEIGHTS RESIDENTIAL
 5616 MAHONEY AVE AND 5615 CONIFER TRAIL
 MINNETONKA, MN 55345

ISSUE NO.	DATE	DESCRIPTION
1	03/08/2019	PRELIMINARY CONCEPT
2	05/02/2019	PRELIMINARY PLAN CHECKSET

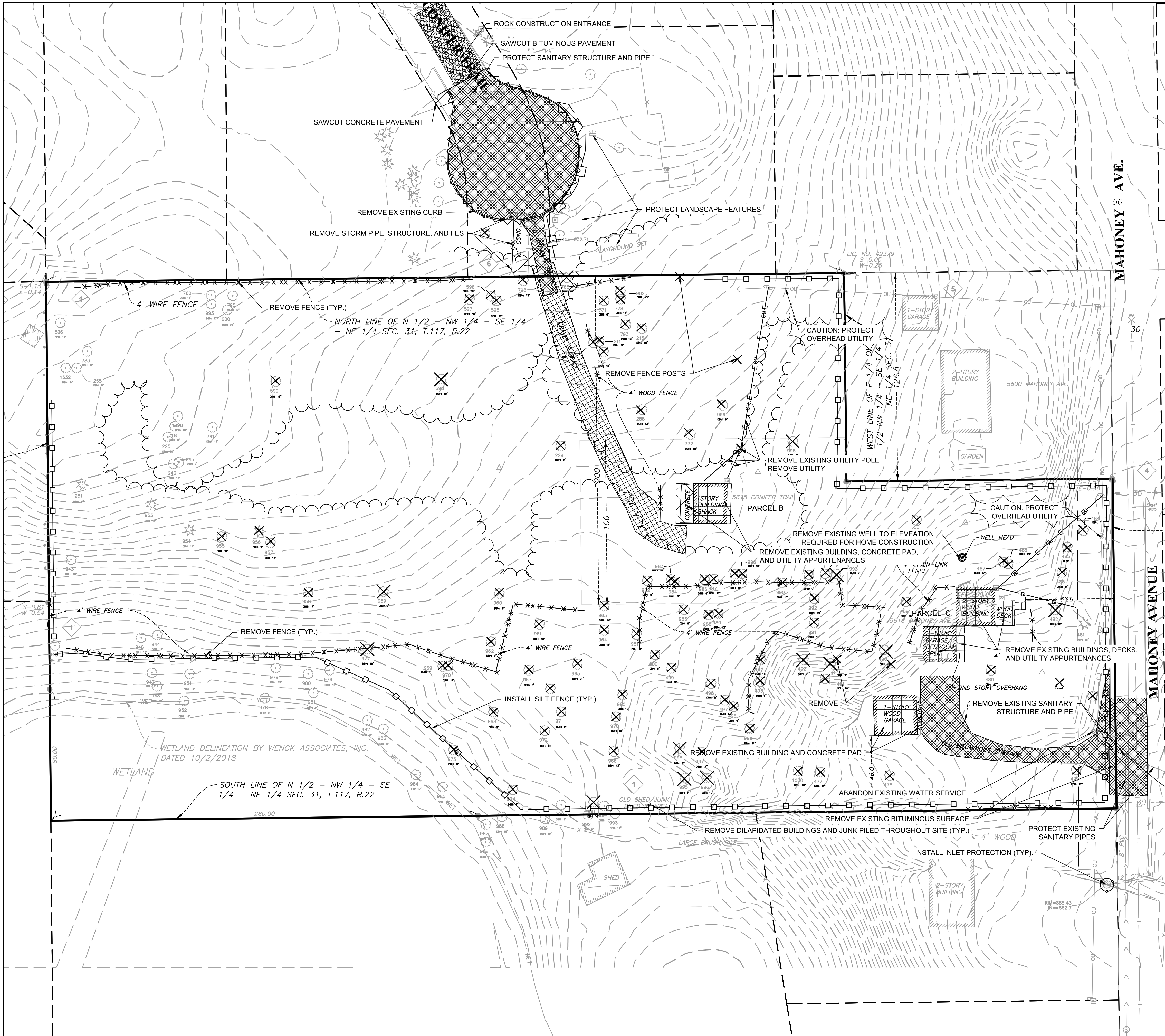
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LICENS NO.:
 DATE:

PROJECT NO.: 7775-0001
 DWN BY: JTP CHKD BY: JRA APPD BY: SKH
 ISSUE DATE: 05-09-2019
 ISSUE NO.: 2
 SHEET TITLE: EXISTING CONDITIONS
 SHEET NO.: C-101

5/23/2019 2:38:52 PM

M:\7775 Lagary Homes\001 - Mahoney Residential\DESIGN1_CAD03 PLANSHEETS\C-201 PRE CONSTRUCTION EROSION CONTROL PLAN AND DEMOLITION PLAN.dwg



EROSION CONTROL AND DEMOLITION LEGEND

- PROPERTY LINE
- EASEMENT LINE
- LIMITS OF CONSTRUCTION
- TEMPORARY DIVERSION DITCH
- SILT FENCE
- INLET PROTECTION
- ROCK CONSTRUCTION ENTRANCE
- REMOVE BITUMINOUS PAVEMENT
- REMOVE CONCRETE PAVEMENT
- REMOVE GRAVEL PAVEMENT
- REMOVE BUILDING
- CLEAR AND GRUB LANDSCAPE AREA
- REMOVE EXISTING UTILITY
- REMOVE CURB AND GUTTER
- SAWCUT PAVEMENT
- REMOVED TREE WITH NO MITIGATION REQUIRED

WENCK
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Exceptional outcomes.

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DATE:

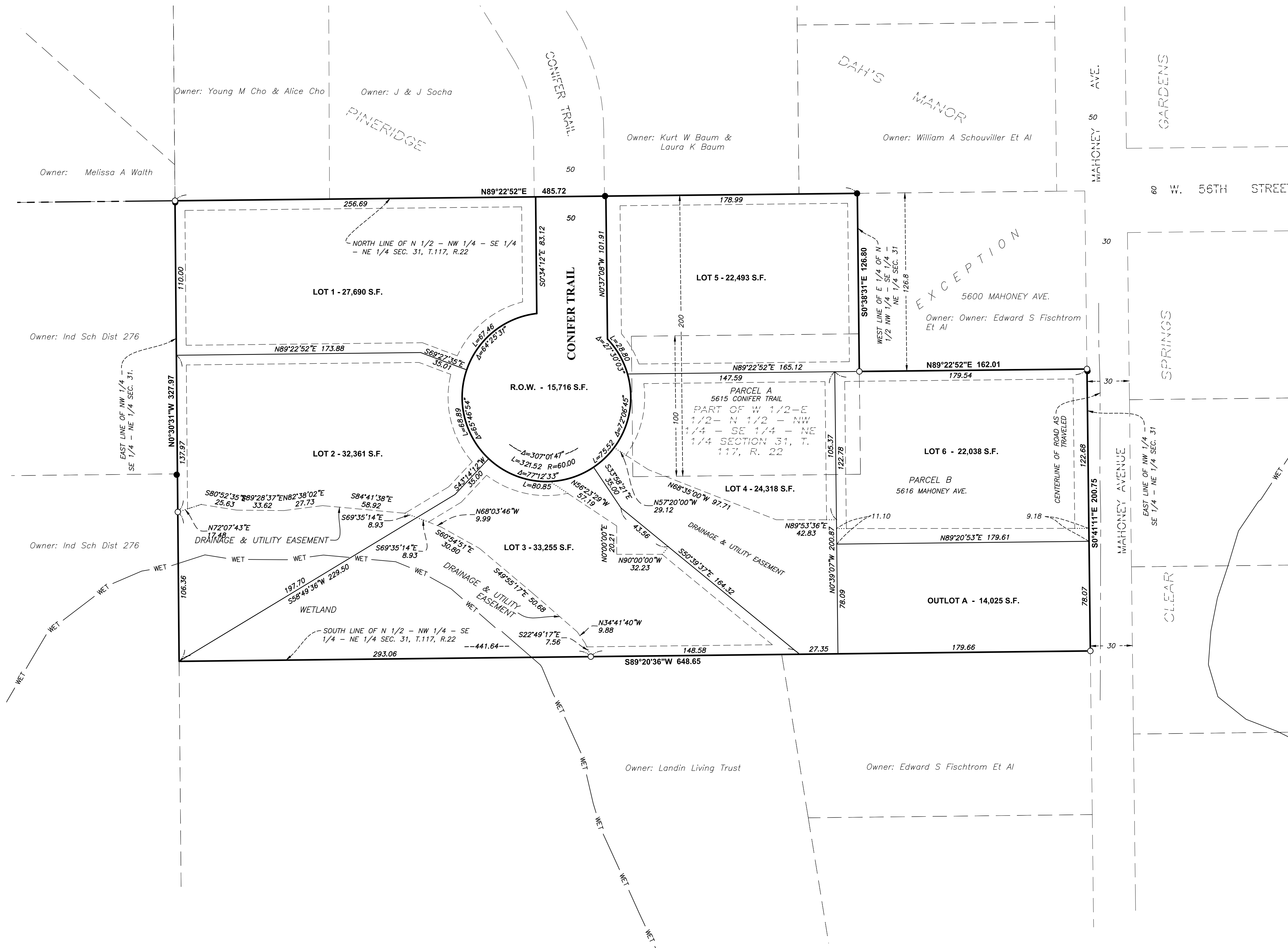
PROJECT NO.:	7775-0001
DWN BY:	JTP
CHKD BY:	JRA
APPD BY:	SKH
ISSUE DATE:	05-09-2019
ISSUE NO.:	2
SHEET TITLE:	PRE CONSTRUCTION EROSION CONTROL AND DEMOLITION PLANS
SHEET NO.:	C-201

WARNING:
THE CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING FOR LOCATIONS OF ALL EXISTING UTILITIES. THEY SHALL COOPERATE WITH ALL UTILITY COMPANIES IN MAINTAINING THEIR SERVICE AND/OR RELOCATION OF LINES.

THE CONTRACTOR SHALL CONTACT GOPHER STATE ONE CALL AT 651-454-0002 AT LEAST 48 HOURS IN ADVANCE FOR THE LOCATIONS OF ALL UNDERGROUND WIRES, CABLES, CONDUITS, PIPES, MANHOLES, VALVES OR OTHER BURIED STRUCTURES BEFORE DIGGING. THE CONTRACTOR SHALL REPAIR OR REPLACE THE ABOVE WHEN DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.

CALL BEFORE YOU DIG
GOPHER STATE ONE CALL
TWIN CITY AREA: 651-454-0002
TOLL FREE 1-800-252-1166

PRELIMINARY PLAT OF CONIFER HEIGHTS



LEGAL DESCRIPTION OF PROPERTY TO BE PLATTED

Parcel A:
The South 100 feet of the North 200 feet of the West Half of the East Half of the North Half of the Northwest Quarter of the Southeast Quarter of the Northeast Quarter of Section 31, Township 117, Range 22, Hennepin County, Minnesota.

Parcel B:
The North Half of the Northwest Quarter of the Southeast Quarter of the Northeast Quarter of Section 31, Township 117 North, Range 22 West of the 5th Principal Meridian, except the North 126.8 feet of the East quarter thereof.

AND EXCEPT:
The South 100 feet of the North 200 feet of the West Half of the East Half of the North Half of the Northwest Quarter of the Southeast Quarter of the Northeast Quarter of Section 31, Township 117, Range 22.

PRESENT ADDRESSES

THE SUBJECT PROPERTY ADDRESSES:
PARCEL A- 5615 CONIFER TRAIL
MINNETONKA, MN 55345
PARCEL B-5616 MAHONEY AVE.,
MINNETONKA, MN 55345

AREAS

TOTAL AREA TO BE PLATTED 191,898 S.F. (4.405 acres)

CURRENT LOT AREAS (INCLUDING RIGHTS OF WAY):

- LOT 1, BLOCK 1 = 27,690 S.F. OR 0.636 ACRES
- LOT 2, BLOCK 1 = 32,361 S.F. OR 0.743 ACRES
- LOT 3, BLOCK 1 = 33,255 S.F. OR 0.763 ACRES
- LOT 4, BLOCK 1 = 24,318 S.F. OR 0.558 ACRES
- LOT 5, BLOCK 1 = 22,493 S.F. OR 0.561 ACRES
- LOT 6, BLOCK 1 = 22,038 S.F. OR 0.506 ACRES
- OUTLOT A = 14,025 S.F. OR 0.322 ACRES
- R.O.W. = 15,716 S.F. OR 0.361 ACRES

ZONING

PROPERTY IS ZONED R-1, LOW DENSITY RESIDENTIAL ACCORDING TO CITY OFFICIAL ZONING MAP.

TAXPAYER / PROPERTY OWNER

PARCEL A
CAPITAL DEVELOPMENT LLC
14505 43RD AVE N
PLYMOUTH MN 55446

PARCEL B
CAPITAL DEVELOPMENT LLC
14505 43RD AVE N
PLYMOUTH MN 55446

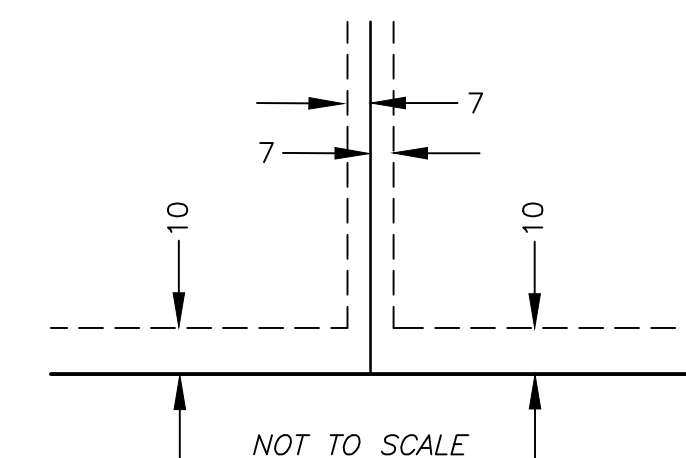
LAND SURVEYOR

WENCK ASSOCIATES,
1800 PIONEER CREEK CENTER,
MAPLE PLAIN, MN
GARY BJORKLUND, MN.
LICENSE NUMBER 46563

DATE OF PRELIMINARY PLAT

MAY 8, 2019

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



BEING 7 FEET IN WIDTH AND ADJOINING LOT LINES AND BEING 10 FEET IN WIDTH AND ADJOINING PUBLIC WAYS AND, UNLESS OTHERWISE INDICATED ON THIS PLAT.



Responsive partner.
Exceptional outcomes.

1800 PIONEER CREEK CENTER
MAPLE PLAIN, MN 55359
PHONE: 763-479-4200
FAX: 763-479-4242
WWW.WENCK.COM

CLIENT:
HOMES BY LEGACY BUILDERS

MAHONEY AVE RESIDENTIAL
5616 MAHONEY AVE AND 5615 CONIFER TRAIL
MINNETONKA, MN 55345

PROJECT TITLE:

ISSUE NO.:

ISSUE #

DESCRIPTION:
PRELIMINARY CONCEPT

DATE:
03/08/2019

CERTIFICATION:

I HEREBY CERTIFY THAT THIS PLAN SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A FULLY REGISTERED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

LICENSE NO.:

DATE:

PROJECT NO.: 7775-0001

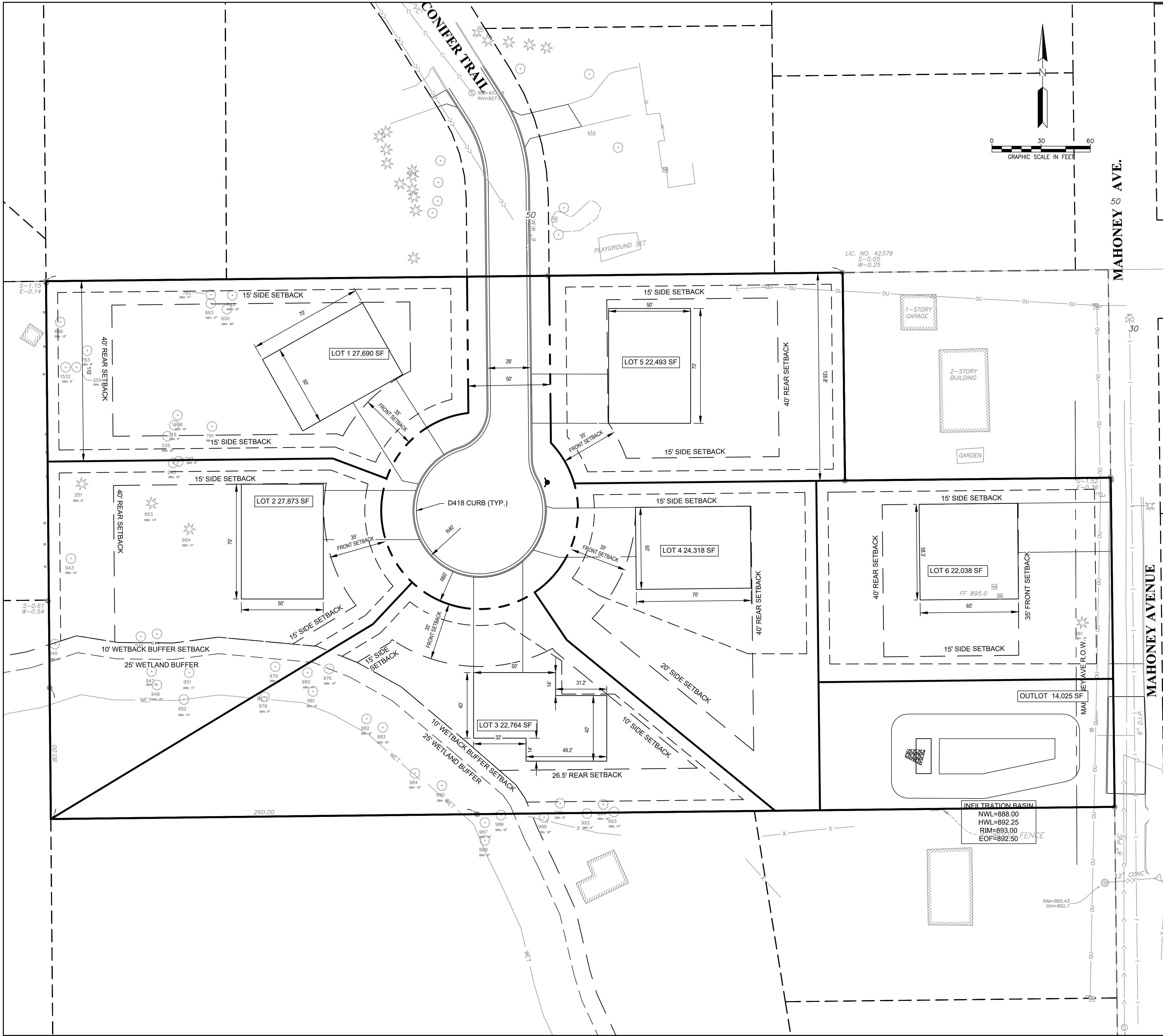
DWN BY: CSH CHKD BY: XXX APPD BY: XXX

ISSUE DATE: 03-08-2019

ISSUE NO.: 1

SHEET TITLE:

SHEET NO.:



SITE LEGEND

- PROPERTY LINE
- SETBACK LINE
- EASEMENT LINE
- PROPOSED D418 CURB AND GUTTER
- STANDARD DUTY BITUMINOUS PAVEMENT
- LANDSCAPED AREA. REFERENCE LANDSCAPE PLANS

SITE ANALYSIS TABLE

5616 MAHONEY AVE & 5615 CONIFER TR
MINNETONKA, MN 55345

EXISTING ZONING	R-1, LOW DENSITY RESIDENTIAL
PROPOSED USE	RESIDENTIAL HOUSING
SETBACK SUMMARY	BUILDING
FRONT / STREET ROW	35'
SIDE	10'
SIDE	SUM OF SIDE SETBACKS ≥ 30'
REAR	40' OR 20% OF LOT DEPTH
LOT AREA MINIMUM	22,000
LOT WIDTH MINIMUM	110 AT SETBACK
LOT DEPTH MINIMUM	125'
MAX. BUILDABLE AREA	3,500 SF
MAX. HEIGHT	35'
MAX. DRIVEWAY WIDTH	TWO-CAR GARAGE: 20' THREE-CAR GARAGE: 30'

SITE DIMENSION TABLE

LOT	LOT AREA (SF)	SETBACK LOT WIDTH (LF)	ROW LOT WIDTH (LF)	LOT DEPTH (LF)	BUILDABLE AREA (SF)
LOT 1	27,690	112.4	112.6	332.5	3,500
LOT 2	27,873	112.4	78.0	214.2	3,500
LOT 3	22,764	177.5	95.8	130.7	3,500
LOT 4	24,318	115.1	83.3	162.2	3,500
LOT 5	22,493	126.8	126.8	179.0	3,500
LOT 6	22,038	122.7	122.7	179.6	3,500

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MAPLE PLAIN, MN 55359
PHONE: 763-479-4200
FAX: 763-479-4242
WWW.WENCK.COM

CLIENT:
CAPITAL DEVELOPMENT LLC

CONIFER HEIGHTS RESIDENTIAL
5616 MAHONEY AVE AND 5615 CONIFER TRAIL
MINNETONKA, MN 55345

PROJECT TITLE: CONIFER HEIGHTS RESIDENTIAL

ISSUE NO.	DATE	DESCRIPTION
1	03/08/2019	PRELIMINARY CONCEPT
2	05/09/2019	PRELIMINARY PLAN CHECKSET

CERTIFICATION:
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LICENSURE NO.:
DATE:

PROJECT NO.: 7775-0001

DWN BY: JTP CHKD BY: JRA APPD BY: SKH
ISSUE DATE: 05-09-2019

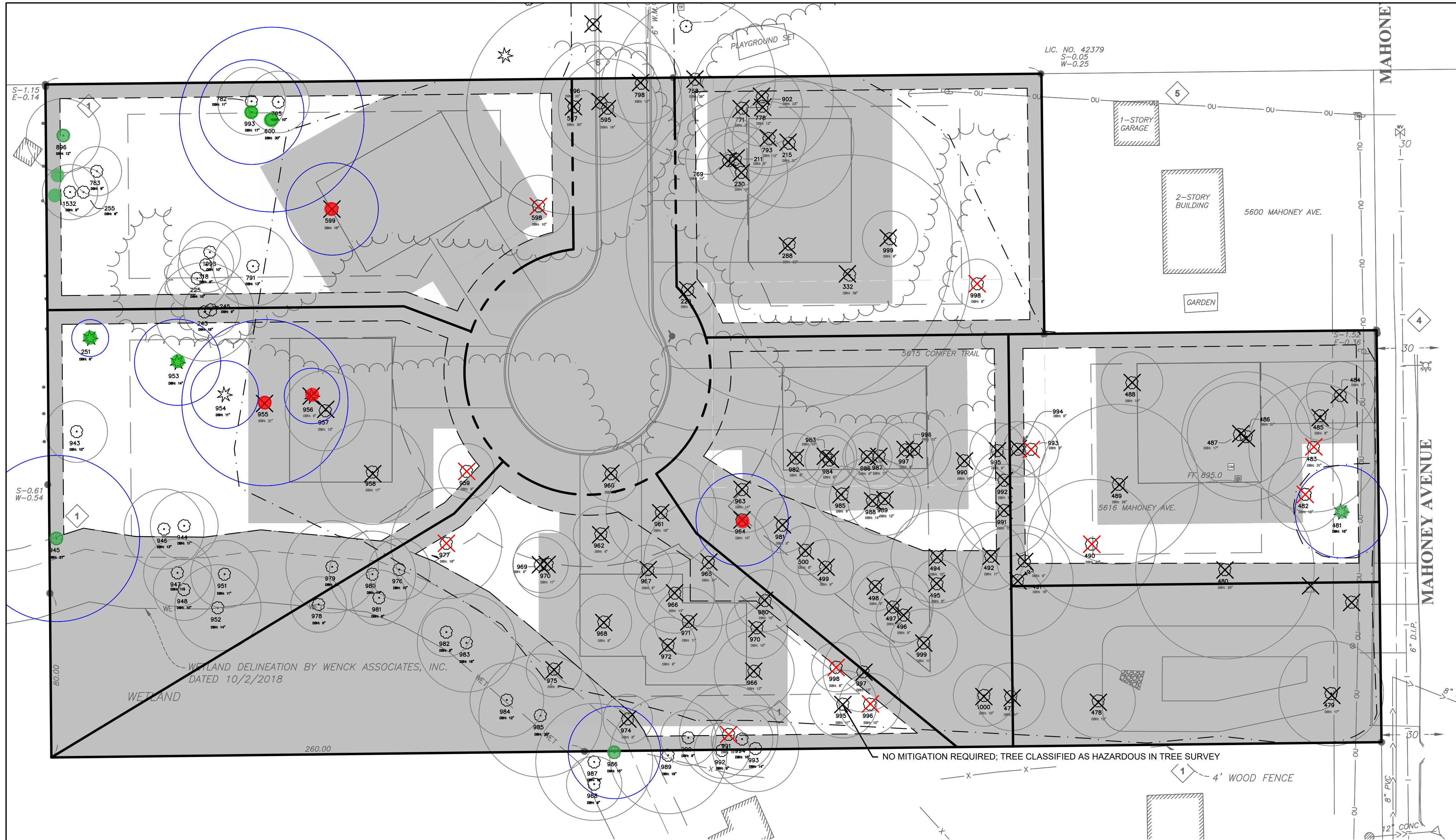
ISSUE NO.: 2
SHEET TITLE: SITE PLAN
SHEET NO.: C-102

WARNING:
THE CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING FOR LOCATIONS OF ALL EXISTING UTILITIES. THEY SHALL COOPERATE WITH ALL UTILITY COMPANIES IN MAINTAINING THEIR SERVICE AND/OR RELOCATION OF LINES.

THE CONTRACTOR SHALL CONTACT GOPHER STATE ONE CALL AT 651-454-0002 AT LEAST 48 HOURS IN ADVANCE FOR THE LOCATIONS OF ALL UNDERGROUND WIRES, CABLES, CONDUITS, PIPES, MANHOLES, VALVES OR OTHER BURIED STRUCTURES BEFORE DIGGING. THE CONTRACTOR SHALL REPAIR OR REPLACE THE ABOVE WHEN DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.

CALL BEFORE YOU DIG
GOPHER STATE ONE CALL
TWIN CITY AREA: 651-454-0002
TOLL FREE 1-800-252-1166

5/23/2019 2:38:22 PM



TREE PRESERVATION PLAN LEGEND

- PROPERTY LINE
- SETBACK LINE
- EASEMENT LINE
- REMOVED TREE WITH NO MITIGATION REQUIRED
- REMOVED TREE WITH MITIGATION REQUIRED
- PRESERVED TREE
- HIGH PRIORITY TREE WITH CRZ SHOWN
- SIGNIFICANT TREE WITH CRZ SHOWN
- TREE REMOVAL ZONE*

CRZ: CRITICAL ROOT ZONE.
 DBH: DIAMETER AT BREAST HEIGHT

CRZ IS CALCULATED AS 1.5 TIMES THE DBH OF EACH TREE. IF MORE THAN 30% OF THE CRZ IS IMPACTED IN ANY WAY DURING CONSTRUCTION, THE TREE IS CONSIDERED REMOVED. (40% IF TREE IS AN ASH, ELM, POPLAR, SILVER MAPLE, OR BOX ELDER).

HIGH PRIORITY TREE: A TREE THAT IS NOT IN A WOODLAND PRESERVATION AREA BUT IS STILL IMPORTANT TO THE SITE AND THE NEIGHBORHOOD CHARACTER, THAT IS STRUCTURALLY SOUND AND HEALTHY, AND THAT MEETS AT LEAST ONE OF THE FOLLOWING STANDARDS:

- A. A DECIDUOUS TREE THAT IS AT LEAST 15 INCHES DBH, EXCEPT ASH, BOX ELDERS, ELM SPECIES, POPLAR SPECIES, WILLOW, SILVER MAPLE, BLACK LOCUST, AMUR MAPLE, FRUIT TREE SPECIES, MULBERRY, AND NORWAY MAPLE.
- B. A CONIFEROUS TREE THAT IS AT LEAST 20 FEET IN HEIGHT...

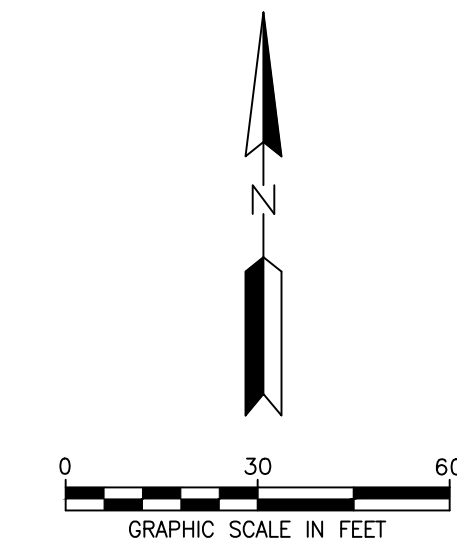
SIGNIFICANT TREE: A TREE THAT IS STRUCTURALLY SOUND AND HEALTHY AND THAT IS EITHER A DECIDUOUS TREE AT LEAST EIGHT INCHES DBH OR A CONIFEROUS TREE AT LEAST 15 FEET IN HEIGHT.

ONLY 35% OF HIGH PRIORITY TREES MAY BE IMPACTED. THERE ARE 12 HIGH PRIORITY TREES ON SITE, SO UP TO 4 MAY BE IMPACTED. THE CURRENT TREE PRESERVATION PLAN CALLS OUT FOR 4 HIGH PRIORITY TREES TO BE REMOVED.

*TREE REMOVAL ZONE INCLUDES BASIC TREE REMOVAL ZONE AND THE WIDTH OF REQUIRED EASEMENTS FOR PUBLIC AND PRIVATE STREETS AND UTILITIES FOR ALL TREE TYPES. FOR SIGNIFICANT TREES ONLY, THE TREE REMOVAL ZONE ALSO INCLUDES AREAS REQUIRED FOR SURFACE WATER PONDING.

Responsive partner.
Exceptional outcomes.

1800 PIONEER CREEK CENTER
MAPLE PLAIN, MN 55359
PHONE: 763-479-4200
FAX: 763-479-4242
WWW.WENCK.COM



CLIENT:
CAPITAL DEVELOPMENT LLC

CONIFER HEIGHTS RESIDENTIAL
 5616 MAHONEY AVE AND 5615 CONIFER TRAIL
 MINNETONKA, MN 55345

PROJECT TITLE:

ISSUE NO.	DATE	DESCRIPTION
1	03/09/2019	PRELIMINARY CONCEPT
2	05/09/2019	PRELIMINARY PLAN CHECKSET

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LIC. NO.:
 DATE:

PROJECT NO.: **7775-0001**

DWN BY: JTP CHKD BY: JRA APPD BY: SKH

ISSUE DATE: **05-09-2019**

ISSUE NO.: **2**

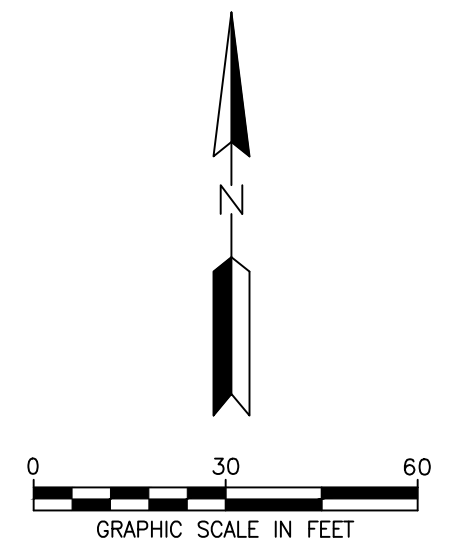
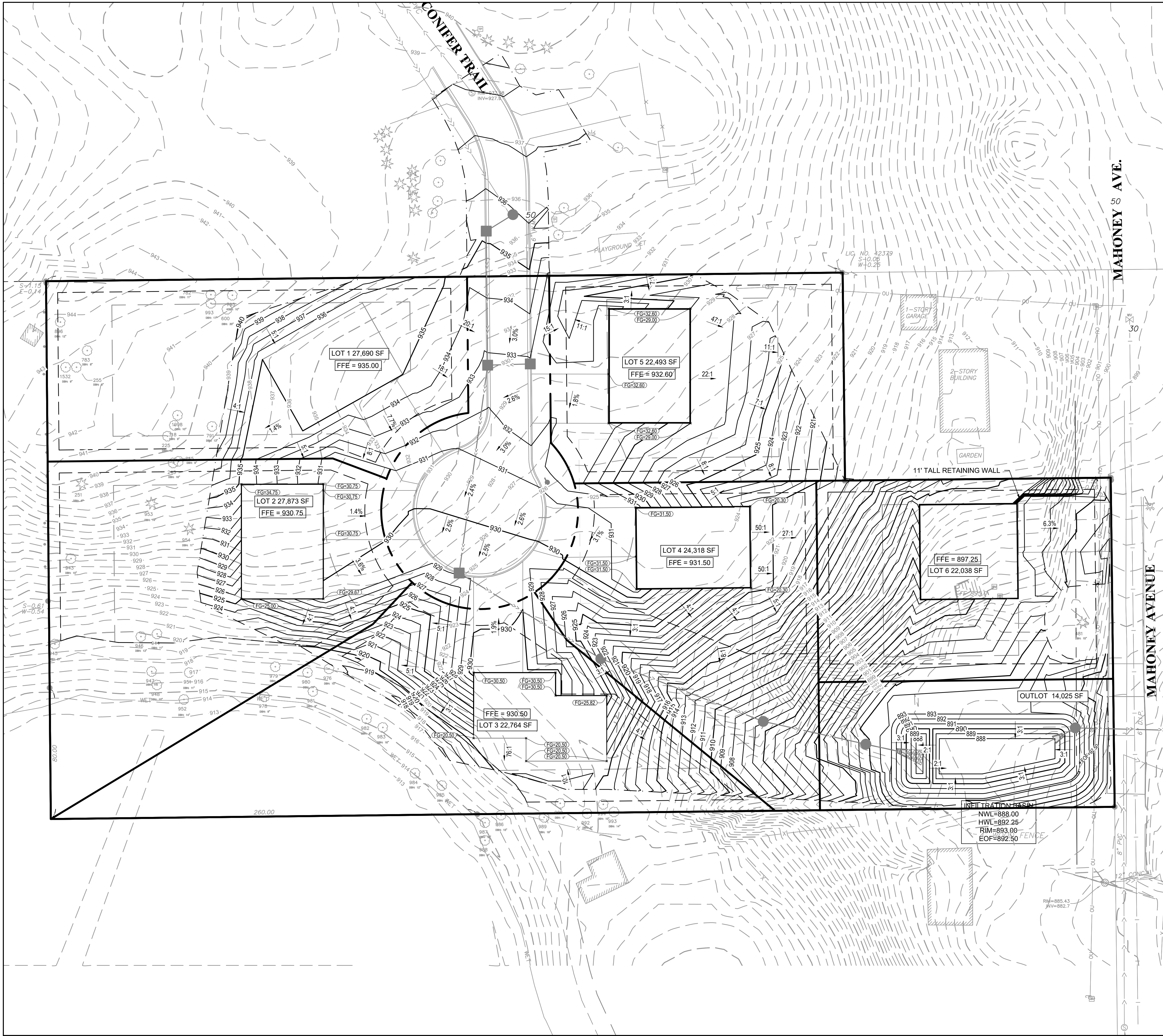
SHEET TITLE:
TREE PRESERVATION PLAN

SHEET NO.:
G-103

TREE PRESERVATION SUMMARY

TagID	Species	Common Name	Condition	DBH (in)	CRZ (ft)	Height (ft)	Classification	Preservation Plan	Mitigation Required
598	Quercus rubra	Red oak	healthy	20	15	18.5	Significant	Remove	yes
599	Ulmus americana	American elm	healthy	9	13.5	13.5	Significant	Remove	yes
577	Fraxinus pennsylvani	Green ash	healthy	18	27	27	Significant	Remove	yes
591	Fraxinus pennsylvani	Green ash	healthy	16	24	24	Significant	Remove	yes
995	Acer negundo	Box elder	hazardous	11	16.5	16.5	Significant	Remove	no
998	Ulmus pumila	Siberian elm	healthy	8	12	12	Significant	Remove	yes
482	Ulmus americana	American elm	healthy	12	18	18	Significant	Remove	yes
483	Acer negundo	Box elder	healthy	31	46.5	46.5	Significant	Remove	yes
490	Ostrya virginiana	Hornwood	healthy	21	31.5	31.5	Significant	Remove	yes
993	Acer negundo	Box elder	healthy	9	13.5	13.5	Significant	Remove	yes
598	Carya cordiformis	Blitternut hickory	healthy	8	12	12	Significant	Remove	yes
996	Acer negundo	Box elder	healthy	20	30	30	Significant	Remove	yes
997	Ulmus americana	American elm	healthy	14	21	21	Significant	Remove	yes
964	Juglans nigra	Black walnut	healthy	15	22.5	22.5	High Priority	Remove	no
999	Ulmus americana	American elm	healthy	11	16.5	16.5	Significant	Remove	no
1000	Acer negundo	Box elder	healthy	20	30	30	Significant	Remove	no
477	Ulmus pumila	Siberian elm	healthy	11	16.5	16.5	Significant	Remove	no
480	Acer saccharinum	Silver maple	healthy	29	43.5	43.5	Significant	Remove	no
491	Acer negundo	Box elder	healthy	18	27	27	Significant	Remove	no
492	Ostrya virginiana	Hickory	healthy	11	16.5	16.5	Significant	Remove	no
493	Fraxinus pennsylvani	Green ash	healthy	9	13.5	13.5	Significant	Remove	no
494	Acer negundo	Box elder	healthy	15	22.5	22.5	Significant	Remove	no
495	Acer negundo	Box elder	healthy	8	12	12	Significant	Remove	no
496	Acer negundo	Box elder	healthy	9	13.5	13.5	Significant	Remove	no
497	Acer negundo	Box elder	healthy	13	19.5	19.5	Significant	Remove	no
498	Acer negundo	Box elder	healthy	8	12	12	Significant	Remove	no
499	Ulmus americana	American elm	healthy	9	13.5	13.5	Significant	Remove	no
500	Acer negundo	Box elder	healthy	8	12	12	Significant	Remove	no
981	Ulmus americana	American elm	healthy	9	13.5	13.5	Significant	Remove	no
991	Fraxinus pennsylvani	Green ash	healthy	15	22.5	22.5	Significant	Remove	no
992	Ulmus americana	American elm	healthy	10	15	15	Significant	Remove	no
993	Ulmus americana	American elm	healthy	10	15	15	Significant	Remove	no
994	Acer negundo	Box elder	healthy	9	13.5	13.5	Significant	Remove	no
995	Acer negundo	Box elder	healthy	9	13.5	13.5	Significant	Remove	no
996	Ulmus americana	American elm	healthy	8	12	12	Significant	Remove	no
997	Ulmus americana	American elm	healthy	8	12	12	Significant	Remove	no
998	Ulmus americana	American elm	healthy	8	12	12	Significant	Remove	no
999	Ulmus americana	American elm	healthy	8	12	12	Significant	Remove	no
1000	Ulmus americana	American elm	healthy	8	12	12	Significant	Remove	no
984	Ulmus americana	American elm	healthy	13	19.5	19.5	Significant	Remove	no
985	Ulmus americana	American elm	healthy	9	13.5	13.5	Significant	Remove	no
986	Ulmus americana	American elm	healthy	9	13.5	13.5	Significant	Remove	no
987	Ulmus americana	American elm	healthy	8	12	12	Significant	Remove	no
988	Ulmus americana	American elm	healthy	8	12	12	Significant	Remove	no
989	Ulmus americana	American elm	healthy	10	15	15	Significant	Remove	no
990	Ulmus americana	American elm	healthy	10	15	15	Significant	Remove	no
991	Ulmus americana	American elm	healthy	10	15	15	Significant	Remove	no
992	Ulmus americana	American elm	healthy	10	15	15	Significant	Remove	no
993	Ulmus americana	American elm	healthy	10	15	15	Significant	Remove	no
994	Ulmus americana	American elm	healthy	10	15	15	Significant	Remove	no
995	Ulmus americana	American elm	healthy	10	15	15	Significant	Remove	no
996	Ulmus americana	American elm	healthy	10	15	15	Significant	Remove	no
997	Ulmus americana	American elm	healthy	10	15	15	Significant	Remove	no
998	Ulmus americana	American elm	healthy	10	15	15	Significant	Remove	no
999	Ulmus americana	American elm	healthy	10	15	15	Significant	Remove	no
1000	Ulmus americana	American elm	healthy	10	15	15	Significant	Remove	no
982	Carya cordiformis	Blitternut hickory	healthy	8	12	12	Significant	Remove	no
983	Ulmus americana	American elm	healthy	14	21	21	Significant	Remove	no
984	Ulmus americana	American elm	healthy	14	21	21	Significant	Remove	no
985	Ulmus americana	American elm	healthy	14	21	21	Significant	Remove	no
986	Ulmus americana	American elm	healthy	14	21	21	Significant	Remove	no
987	Ulmus americana	American elm	healthy	14	21	21	Significant	Remove	no
988	Ulmus americana	American elm	healthy	14	21	21	Significant	Remove	no
989	Ulmus americana	American elm	healthy	14	21	21	Significant	Remove	no
990	Ulmus americana	American elm	healthy	14	21	21	Significant	Remove	no
991	Ulmus americana	American elm	healthy	14	21	21	Significant	Remove	no
992	Ulmus americana	American elm	healthy	14	21	21	Significant	Remove	no
993	Ulmus americana	American elm	healthy	14	21	21	Significant	Remove	no
994	Ulmus americana	American elm	healthy	14	21	21	Significant	Remove	no
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999	Ulmus americana	American elm	healthy	14	21	21	Significant	Remove	no
1000	Ulmus americana	American elm	healthy	14	21	21	Significant	Remove	no
980	Ulmus americana	American elm	healthy	39	58.5	58.5	Significant	Remove	no
288	Ulmus americana	American elm	healthy	53	79.5	79.5	Significant	Remove	no
211	Ulmus americana	American elm	healthy	21	31.5	31.5	Significant	Remove	no
778	Ulmus pumila	Siberian elm	healthy	13	19.5	19.5	Significant	Remove	no
779	Ulmus pumila	Siberian elm	healthy	13	19.5	19.5	Significant	Remove	no
902	Ulmus americana	American elm	healthy	23	34.5	34.5	Significant	Remove	no
769	Ulmus americana	American elm	healthy	14	21	21	Significant	Remove	no
211	Ulmus pumila	Siberian elm	healthy	9	13.5	13.5	Significant	Remove	no
230	Ulmus pumila	Siberian elm	healthy	15	22.5	22.5	Significant	Remove	no
599	Pinus resinosa	Red pine	healthy	15	22.5	35	High Priority	Preserve	no
600	Quercus rubra	Red oak	healthy	30	45	45	High Priority	Preserve	no
999	Quercus rubra	Red oak	healthy	17	25.5	25.5	High Priority	Preserve	no

TagID	Species	Common Name	Condition	DBH (in)	CRZ (ft)	Height (ft)	Classification	Preservation Plan	Mitigation Required
957	Ulmus pumila	Siberian elm	dying	13	19.5	19.5	Significant	Remove	No - Pr. BTRA
958	Populus deltoides	Cottonwood	healthy	17	25.5	25.5	Significant	Remove	No - Pr. BTRA
960	Ulmus americana	American elm	healthy	9	13.5	13.5	Significant	Remove	No - Pr. BTRA
961	Acer negundo	Box elder	healthy	18	27	27	Significant	Remove	No - Pr. BTRA
962	Ulmus americana	American elm	healthy	9	13.5	13.5	Significant	Remove	No - Pr. BTRA
963	Acer negundo	Box elder	healthy	21	31.5	31.5	Significant	Remove	No - Pr. BTRA
964	Ulmus pumila	Siberian elm	healthy	13	19.5	19.5	Significant	Remove	No - Pr. BTRA
967	Ulmus americana	American elm	healthy	8	12	12	Significant	Remove	No - Pr. BTRA
968	Fraxinus pennsylvani	Green ash	healthy	9	13.5	13.5	Significant	Remove	No - Pr. BTRA
969	Acer negundo	Box elder	healthy	8	12	12	Significant	Remove	No - Pr. BTRA
970	Acer negundo	Box elder	dying	11	16.5	16.5	Significant	Remove	No - Pr. BTRA
971	Ulmus americana	American elm	healthy	11	16.5	16.5	Significant	Remove	No - Pr. BTRA
972	Ulmus americana	American elm	healthy	9	13.5	13.5	Significant	Remove	No - Pr. BTRA
974	Acer negundo	Box elder	healthy	8	12	12	Significant	Remove	No - Pr. BTRA
975	Acer negundo	Box elder	healthy	9	13.5	13.5	Significant	Remove	No - Pr. BTRA
486	Unknown	Unknown	healthy	11	16.5	16.5	Significant	Remove	No - Pr. BTRA
487	Fraxinus pennsylvani	Green ash	healthy	8	12	12	Significant	Remove	No - Pr. BTRA
488	Acer negundo	Box elder	healthy	21	31.5	31.5	Significant	Remove	No - Pr. BTRA
489	Acer negundo	Box elder	healthy	8	12	12	Significant	Remove	No - Pr. BTRA
490	Acer negundo	Box elder	healthy	26	39	39	Significant	Remove	No - Pr. BTRA
491	Acer negundo	Box elder	healthy	13	19.5	19.5	Significant	Remove	No - Pr. BTRA
492	Acer negundo	Box elder	healthy	10	15	15	Significant	Remove	No - Pr. BTRA
493	Acer negundo	Box elder	healthy	8	12	12	Significant	Remove	No - Pr. BTRA
494	Acer negundo	Box elder	healthy	10	15	15	Significant	Remove	No - Pr. BTRA
495	Acer negundo	Box elder	healthy	8	12	12	Significant	Remove	No - Pr. BTRA
496	Acer negundo	Box elder	healthy	9	13.5	13.5	Significant	Remove	No - Pr. BTRA
497	Acer negundo	Box elder	healthy	10	15	15	Significant	Remove	No - Pr. BTRA
498	Acer negundo	Box elder	healthy	10	15	15	Significant	Remove	No - Pr. BTRA
499	Acer negundo	Box elder	healthy	10	15	15	Significant	Remove	No - Pr. BTRA
500	Acer negundo	Box elder	healthy	10	15	15	Significant	Remove	No - Pr. BTRA
494	Ulmus americana	American elm	healthy	10	15	15	Significant	Remove	No - Pr. BTRA
495	Ulmus americana	American elm	healthy	10	15	15	Significant	Remove	No - Pr. BTRA
496	Ulmus americana	American elm	healthy	10	15	15	Significant	Remove	No - Pr. BTRA
497	Ulmus americana	American elm	healthy	10	15	15	Significant	Remove	No - Pr. BTRA
498	Ulmus americana	American elm	healthy	10	15	15	Significant	Remove	No - Pr. BTRA
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494	Ulmus americana	American elm	healthy	10	15	15	Significant	Remove	No - Pr. BTRA
495	Ulmus americana	American elm	healthy	10	15	15	Significant	Remove	No - Pr. BTRA
496	Ulmus americana	American elm	healthy	10	15	15	Significant	Remove	No - Pr. BTRA
497	Ulmus americana	American elm	healthy	10	15	15	Significant	Remove	No - Pr. BTRA
498	Ulmus americana	American elm	healthy	10	15	15	Significant	Remove	No - Pr. BTRA
499	Ulmus americana	American elm	healthy	10	15	15	Significant	Remove	No - Pr. BTRA



GRADING LEGEND

- PROPERTY LINE
- SETBACK LINE
- EASEMENT LINE
- EXISTING CONTOUR
- PROPOSED CONTOUR
- PROPOSED STORM SEWER
- PROPOSED CATCH BASIN
- PROPOSED MANHOLE
- PROPOSED SPOT ELEVATION (ALL ELEVATIONS ARE TO FLOWLINE UNLESS OTHERWISE NOTED)
- FINISHED GRADE SPOT ELEVATION
- MATCH EXISTING SPOT ELEVATION
- TOP OF CURB SPOT ELEVATION
- HIGH POINT SPOT ELEVATION
- EMERGENCY OVERTFLOW SPOT ELEVATION
- TOP OF WALL SPOT ELEVATION
- BOTTOM / TOE OF WALL SPOT ELEVATION
- PROPOSED RIDGE / VALLEY / BREAKLINE
- PROPOSED SLOPE ARROW
- EXISTING STORM STRUCTURE
- EXISTING STORM SEWER

NOTE: SEE C-501 STORM SEWER PLAN FOR STORM SEWER DESIGN DETAILS

CLIENT:

CAPITAL DEVELOPMENT LLC

CONIFER HEIGHTS RESIDENTIAL

5616 MAHONEY AVE AND 5615 CONIFER TRAIL
MINNETONKA, MN 55345

ISSUE NO.	DESCRIPTION	DATE
1	PRELIMINARY CONCEPT	03/28/2019
2	PRELIMINARY PLAN CHECKSET	05/09/2019

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LICENSURE NO.:
DATE:

PROJECT NO.: 7775-0001

DWN BY: JTP CHKD BY: JRA APPD BY: SKH

ISSUE DATE: 05-09-2019

ISSUE NO.: 2

SHEET TITLE: GRADING PLAN

SHEET NO.: C-301

WARNING:

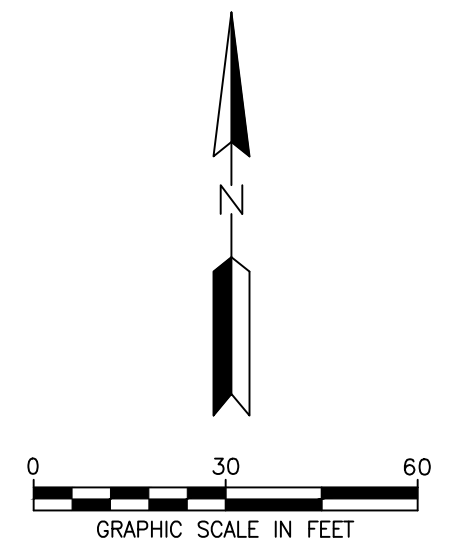
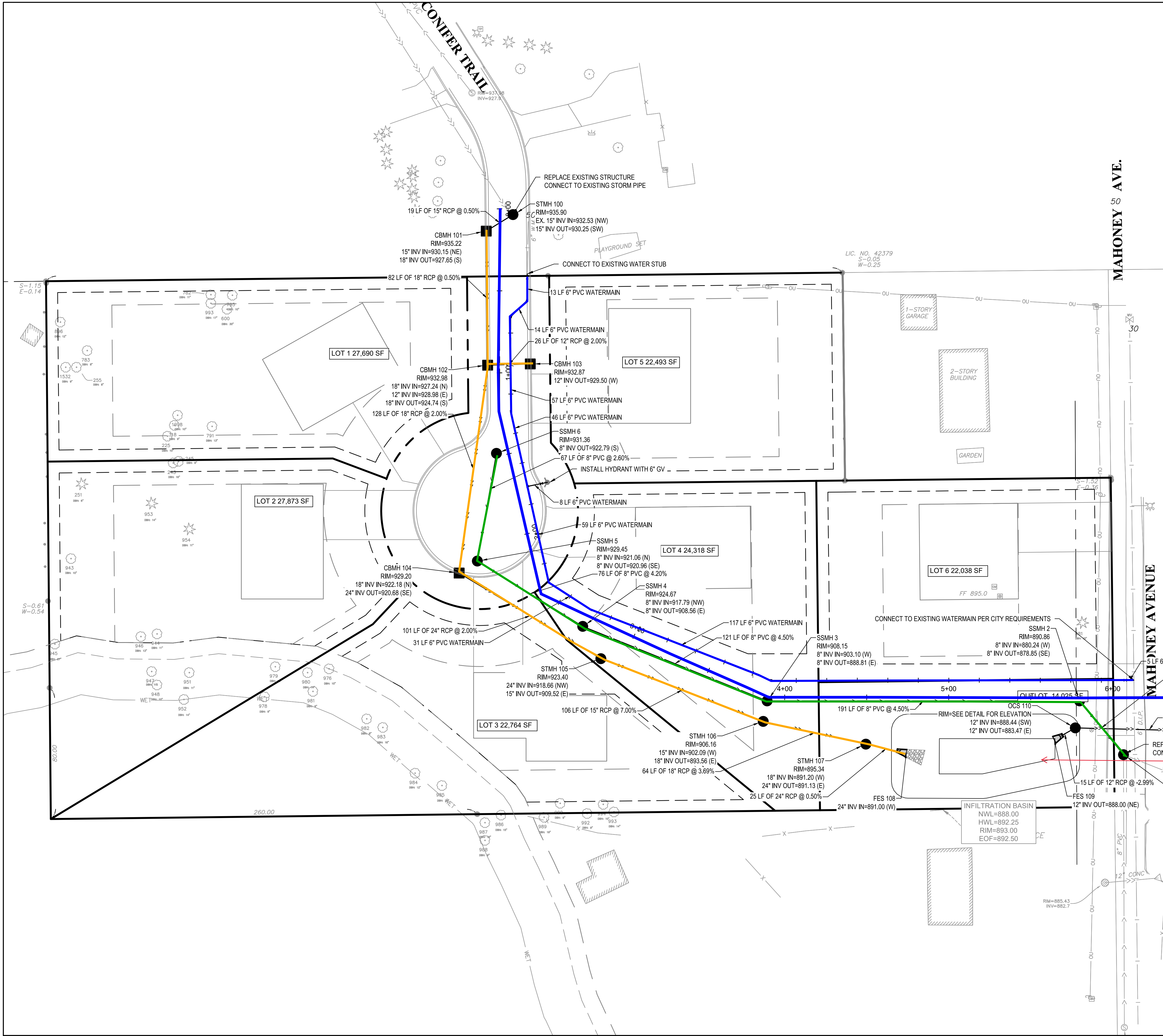
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CALL BEFORE YOU DIG

GOPHER STATE ONE CALL

TWIN CITY AREA: 651-454-0002
TOLL FREE 1-800-252-1166



UTILITY LEGEND

- PROPERTY LINE
- - - SETBACK LINE
- - - EASEMENT LINE
- >-> EXISTING SANITARY SEWER
- >-> EXISTING STORM SEWER
- - - EXISTING WATERMAIN
- (S) EXISTING SANITARY STRUCTURE
- >-> PROPOSED SANITARY SEWER
- PROPOSED SANITARY SEWER MANHOLE
- >-> PROPOSED WATERMAIN
- PROPOSED HYDRANT / VALVE
- >-> PROPOSED STORM SEWER
- PROPOSED STORM SEWER MANHOLE

stormwater basin

WARNING:
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING FOR LOCATIONS OF ALL EXISTING UTILITIES. THEY SHALL COOPERATE WITH ALL UTILITY COMPANIES IN MAINTAINING THEIR SERVICE AND/OR RELOCATION OF LINES.

THE CONTRACTOR SHALL CONTACT GOPHER STATE ONE CALL AT 651-454-0002 AT LEAST 48 HOURS IN ADVANCE FOR THE LOCATIONS OF ALL UNDERGROUND WIRES, CABLES, CONDUITS, PIPES, MANHOLES, VALVES OR OTHER BURIED STRUCTURES BEFORE DIGGING. THE CONTRACTOR SHALL REPAIR OR REPLACE THE ABOVE WHEN DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.

CALL BEFORE YOU DIG
GOPHER STATE ONE CALL
 TWIN CITY AREA: 651-454-0002
 TOLL FREE 1-800-252-1166

CLIENT:
CAPITAL DEVELOPMENT LLC

PROJECT TITLE:
CONIFER HEIGHTS RESIDENTIAL
 5616 MAHONEY AVE AND 5615 CONIFER TRAIL
 MINNETONKA, MN 55345

ISSUE NO.	DESCRIPTION	DATE
1	PRELIMINARY CONCEPT	03/08/2019
2	PRELIMINARY PLAN CHECKSET	05/09/2019

CERTIFICATION:
 I HEREBY CERTIFY THAT THIS PLAN SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

LIC. NO.:
 DATE:

PROJECT NO.: 7775-0001

DWN BY: JTP	CHKD BY: JRA	APPD BY: SKH
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ISSUE DATE: 05-09-2019

ISSUE NO.: 2

SHEET TITLE:
UTILITY PLAN

SHEET NO.:
C-401

Ashley Cauley

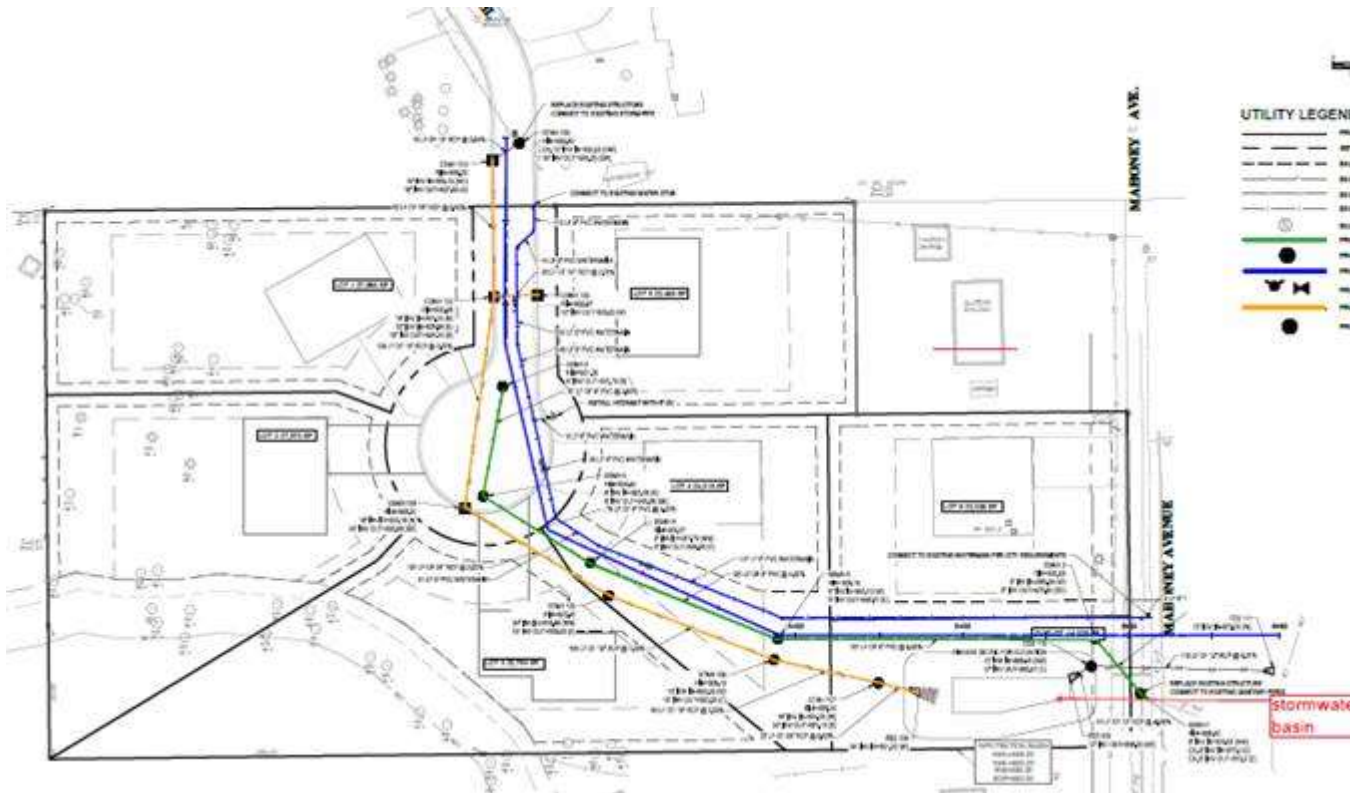
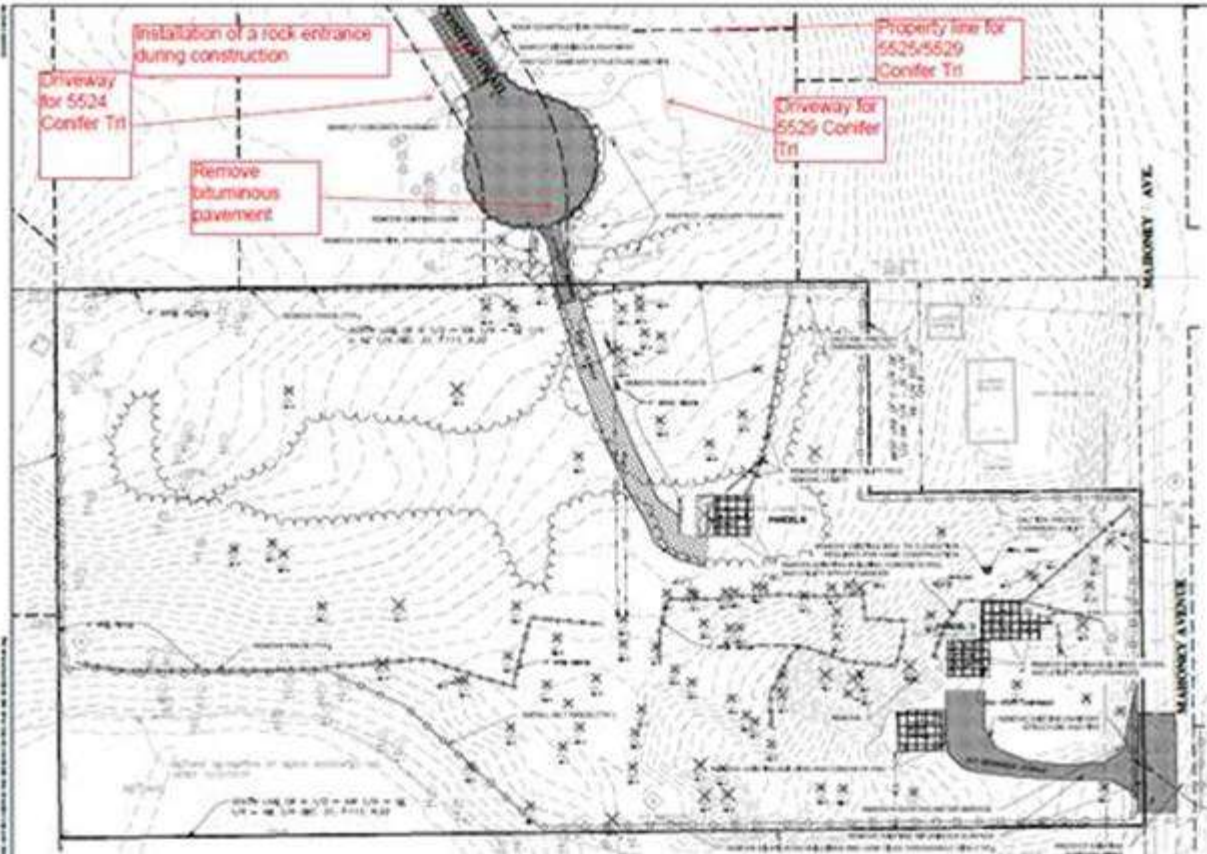
To: Ashley Cauley
Subject: RE: Questions regarding: Conifer Heights project

From: Ashley Cauley
Sent: Wednesday, July 10, 2019 10:22 AM
To: 'JEANINE SOCHA'
Cc: joe socha
Subject: RE: Questions regarding: Conifer Heights project

Good morning Jeanine –

I will respond to as many of the questions as I can but some of your questions are better suited for the developer. I've included their contact information at the end of the email for your reference.

- **Fencing:** This would be a question better suited for the developer. The city would not require the fencing to be removed nor require that it should remain onsite.
- **Access.** When the PINERIDGE was developed in 1984, creating the properties on Conifer Trail, the city envisioned that Conifer Trail would be extended to allow development of the 5615 Conifer Trail and 5616 Mahoney Avenue properties. City staff worked with the developer to plat right of way to the property line, required a temporary cul-de-sac for Conifer Trail with an easement that would terminate at such a time that the roadway was extended to the property to the south. Access from Mahoney Avenue would likely result in additional disturbance as a result of existing topography and access to utilities to the north.
- **Conifer Trail disturbance.** The existing cul-de-sac bulb of Conifer Trail is a temporary cul-de-sac and would be removed in order to construct the extension and install utilities. I hope that the plans below better articulate the anticipated disturbance. The developer will need to notify and coordinate with any impacted property owner if there is a brief closure required. However, usually they are short as the city wouldn't allow the developer to completely close access to your property for an extended period of time. You could contact the developer to better understand closures and impacts to your specific property.



- **Staking.** If both preliminary and final plat are approved, the extension would be staked prior to construction. However, if you would like to have it staked prior, I'd make the request to the developer. Please note that the current proposal only includes preliminary plat. Final plat approval would be required prior to any site work.
- **Contact information:**
Fred Stelter

Capital Development, LLC
612-325-7414
stelترفred@gmail.com

Please feel free to let me know if you have any additional questions or if you would like me to include your comment in the change memo for tomorrow's meeting.

Thank you,
Ashley

Ashley Cauley | Senior Planner
City of Minnetonka | eminnetonka.com
Direct: 952-939-8298 | General: 952-939-8200

From: JEANINE SOCHA
Sent: Tuesday, July 9, 2019 8:33 PM
To: Ashley Cauley <acauley@eminnetonka.com>
Cc: joe socha
Subject: Questions regarding: Conifer Heights project

I live at 5524 Conifer Trail, and I have several questions regarding the Conifer Heights project for which the hearing is coming up on this Thursday July 11th.

1) Lot 1 drawing on C-201 shows plans for the wire fencing outlining the property is planned to be removed. What is the reason for removal of this fencing? This borders on our property, and we are wondering why this fencing is slated to be removed?

2) Has there been any consideration in the proposal for this development to come off of Mahoney rather than Conifer Trail? This proposal will essentially double the traffic going onto Hwy 101 off and onto Conifer Trail, which might be better served coming off a less busy street than Hwy 101. This will have an impact on our entire neighborhood.

3). What are the plans for disruption on the current existing cul de sac with respect to extending sewer lines and water mains? will this require the street to be dug up and inaccessible for any periods of time?

4). Is it possible to have the proposed street extension marked so we are able to see the impact to the cul de sac and curbing?

Thank you

Jeanine Socha

5524 Conifer Trail

Minnetonka

Ashley Cauley

To: David Dayhoff
Subject: RE: Question re: Conifer Heights project

From: David Dayhoff
Sent: Tuesday, July 9, 2019 1:49 PM
To: Ashley Cauley <acauley@eminnetonka.com>
Cc: Dayhoff, Aimee D.
Subject: Re: Question re: Conifer Heights project

Thanks Ashley. Is there a deadline for official comments? I may depending upon the following question/observation. Also I plan to attend the meeting Thursday eve so if just the same to make a statement there, I can.

I understand from your report that the Tree Preservation Plan conforms with the ordinance. My question is if there can be some required mitigation (replacement) of trees removed in the shaded area which I hope you can see from the 2nd snip below.

In the first snip you see the very high % of trees that will be removed in the construction. The nature of our street currently is that it has a very wooded feel, looking in all directions including to the south. With the removal of essentially all of the vegetation, including trees big and small, from the north side of the lot adjacent to the street, the center of the lot as well as the proposed siting and orientation of the 2 northernmost home sites, instead we're going to look south at the sides of new houses and an open field/roadway.

Of course the trees will have to be removed for the construction. However I would like to see the developer required to place new trees--ideally conifers, but could be deciduous too--and/or other high-profile landscaped vegetation in the shaded areas below. It will actually be nice if they get rid of all the buckthorn, but then replace it with a mix of conifers and other vegetation to avoid our houses at the end (Dayhoffs, Baums, Sochas) from essentially being incorporated into a new multi-acre open yard with 4 of the 6 new homes. Note this is not in some hope that I wish that the new homes not be visible at all from my front yard. Instead it's that the new homes have adequate trees and other vegetation around them so that it doesn't lose the wooded feel and sightlines. I don't want to gamble on the new homeowners sharing this sentiment vs. the developer landscaping and replacing trees now.

If this is the substance of an official comment, then yes please note it as such.

Thanks again for your responsiveness.

Powers did not think 24 inches would change the character of the neighborhood. He likes the proposal better than the one that would meet ordinance requirements. The design is smart. He favored approving the variance. He liked that the applicant met with all of the neighbors and all of them approved the proposal.

Hanson and Knight concurred with Powers. Knight noted that the house is angled from the street and suggested that the addition be turned and setback further if possible.

Sewall did not think the proposal would change the character of the neighborhood. He acknowledged that the application is a design difficulty, not a practical difficulty.

Chair Kirk thought it would be natural for the garage to be located on the side of the house. Bad rooflines do become problematic. He supports the proposal.

Powers stated that meeting the setback requirement would create practical difficulties with living in the house and aligning the roofline. The angle of the street decreases the front yard setback on the side of the house. The proposal would not change the character of the neighborhood.

Chair Kirk stated that the property is unique because its front yard setback currently does not meet ordinance requirements. There is a two-foot difference between an expansion permit and a variance. Only a small portion of the proposed garage would extend into the setback because of the angles of the street and house.

Powers moved, second by Hanson, to adopt a resolution approving a variance request to construct a garage addition onto the west side of the existing house.

Knight, Luke, Powers, Sewall, Hanson, and Kirk voted yes. Henry was absent. Motion carried.

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

B. Resolution approving Conifer Heights, a six-lot subdivision at 5615 Conifer Trail and Mahoney Ave.

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.

Sewall asked if the outlot would be incorporated into Lot Six. Cauley answered affirmatively. An easement would prevent the area from being filled or built on. A stormwater maintenance agreement would outline the responsibilities of the property owner and the city.

Luke was concerned with Lot 3 being located so close to the floodplain. Cauley explained that the building permit process would confirm that all separation requirements would be met.

Chair Kirk confirmed with staff that there would be sufficient buildable area.

Jack Ammerman, Wenck Associates, civil design engineer and project manager representing the applicant, stated that he appreciated their time and staff represented the project thoroughly and accurately. He was available for questions.

The public hearing was opened.

Joseph Socha, 5524 Conifer Trail, stated that:

- He would like some items addressed in the development contract including construction traffic. Conifer Trail should be repaved at the end of construction if it would be damaged.
- He asked how long construction would take.
- He stated that some magnificent trees would be removed and replaced with smaller trees. He would like to keep as many trees as possible.
- He wants to make sure that there would be a security deposit that would cover fixing the street.
- His house needs 24-hour, 7-days-a-week access for nurses to care for a family member. That is a very real concern.
- The cul-de-sac encroaches on both properties currently. He was concerned that the new street would be on his lot line or over his lot line. Most of the street has a buffer on both sides to the property lines. He would like the buffers continued into the proposed cul-de-sac.
- He would like an agreement to require trees removed from the outlot to be replaced.

David Biesboer, 5620 Mahoney Ave., stated that:

- The area is hilly and a lot of water runs through his property.
- The soil is sandy and moves easily. He was concerned with sheet runoff from Conifer Ave.
- He would like the holding pond located somewhere else, but understood if it would be necessary.
- He does not want one milliliter of runoff to travel down the hill onto his property.
- He would like to work with the developer and engineer to make sure there would not be a problem.

Fred Landin, 5640 Mahoney Ave., stated that:

- He was concerned with the wetland being protected during construction.
- The pond right now is full. It has overflowed twice. It flooded his neighbor's property at one point. He was concerned that it would overflow again.
- He wanted to make sure no additional water would flow into the pond.

Young Cho, 5520 Conifer Trail, stated that:

- He asked if a review of the builder would be performed.

Kurt Baum, 5529 Conifer Trail, stated that:

- He was concerned with construction traffic causing a safety hazard for children in the street.
- He would like the buckthorn removed.
- He did not know how Conifer Trail was created.

No additional testimony was submitted and the hearing was closed.

Cauley explained that:

- The street easement located where Conifer Trail is now paved existed before the street easement was utilized.
- She pointed out the paved portion of Conifer Trail, right of way and temporary bulb of the cul-de-sac which would be used for construction traffic. She explained that the bulb would be removed and the location of the proposed street.
- There would be green space between the paved portion of the street and the right of way. The green space would continue along the street. That is an ordinance requirement.
- The developer would be required to provide a financial guarantee that could be used to complete the project if the developer would not do so.

Loren explained that engineering staff would document the condition of the street to be compared with an inspection completed at the end of the construction project to hold the developer accountable to repair any damage.

Cauley stated that:

- Engineering staff would review proper runoff mitigation prevention for the proposed plan and during the building permit review process for each residence.
- Grading would be done in a way to protect as many trees as possible. Specific fencing may be required to protect a tree's root zone.

- The applicant's tree preservation plan needs to add four trees.
- Once a property would be homesteaded for two years, then the property owner could remove trees like any other property.

In response to Chair Kirk's question, Yetka explained tree definitions and mitigation requirements.

Chair Kirk encouraged the developer to plant trees that would become high-priority trees that may not be as fast growing, but become quality trees in the future.

Cauley explained that city staff looks at each land use application. Builders and contractors are required to be licensed and meet state requirements.

Cauley explained that the developer would be required to notify adjacent property owners of a road closure. A road closure would not be allowed for an extended period of time that would prevent access to a residence. The city would work with the property owner and developer to make sure that there would be access to the residence. When County Road 101 was reconstructed, the site lines were found to be reasonable. If residents witness construction vehicles making traffic violations on Conifer Trail, then they should contact the police department and the developer.

Chair Kirk thought the access off of Conifer Trail made more sense than Mahoney Ave. because of the steeper grade on Mahoney Ave. Cauley agreed.

Sewall asked staff to discuss the holding ponds and runoff. Yetka explained some of the water mitigation requirements that would be required. No new drainage would be routed to the wetland. The pond would take the runoff from the impervious surface and purify it before it would travel down the storm sewer. Engineering staff would inspect the site to make sure it would function as intended.

In response to Power's question, Cauley explained that the construction management plan would include the contact information for the site supervisor. It would be provided on the city's website: eminnetonka.com.

Knight asked if the pond between the development and the school currently has a controlled overflow. Cauley explained that it does not now, but the possibility of adding an overflow control is being explored. Loren clarified that there is no engineered solution yet, but the possibility is being researched.

Hanson applauded the neighbors for understanding the proposal and voicing valid concerns. He encouraged residents to work with the developer. He likes where the proposal is headed. The proposal retains the lot size. The developer has been conservative with the number of lots and respectful of the neighborhood.

Chair Kirk was concerned with the amount of tree loss. He would like more trees saved. He hoped that the grading plan would be the worst-case scenario. It would make sense

to do most of the heavy lifting at one time to get the pad ready. He appreciated the half-acre lot sizes. There are not many areas this size left in the city.

Sewall thought significant trees may need more protection when a site is made up of 75 percent significant trees. He appreciated getting the heavy construction done as soon as possible. The proposal meets all ordinance requirements.

Powers agreed with commissioners. He noted that the neighbors would go through a period of disruption. He encouraged neighbors to pay attention and inform the developer of what is happening. He supports the proposal. It would fit Minnetonka in 2019.

Hanson moved, second by Luke, to recommend that the city council adopt the resolution approving the preliminary plat of Conifer Heights with changes provided in the change memo dated July 11, 2019.

Knight, Luke, Powers, Sewall, Hanson, and Kirk voted yes. Henry was absent. Motion carried.

Chair Kirk stated that this item is scheduled to be reviewed by the city council July 22, 2019.

C. Items concerning The Kinsel at Glen Lake.

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.

In response to Powers' question, Thomas explained that the traffic study determined that the intersection would not warrant sufficient conditions to require a traffic light for 10 years. There is a priority list that the county would place the intersection on once it would meet the conditions necessary to prompt installation of a traffic light.

Sewall asked about sidewalks. He saw lots of pedestrians in the area. Thomas explained that sidewalks would surround the entire site and be located along Stewart Lane and Excelsior Blvd.

Hanson supports planning for the anticipated traffic 10 years in the future. Thomas stated that city staff agrees, but that is not a possibility since Hennepin County has the authority for this intersection and has denied requests to make changes. Commissioners may find that the use would be too intense for the site.

Powers did not see a compelling need that the proposal would fill. Wischnack provided that the vacancy rates for apartments in Minnetonka is very low. A 5-percent vacancy rate is considered unhealthy. Minnetonka's apartment vacancy rate is 2.6 percent.

Resolution No. 2019-

Resolution approving the preliminary plat of CONIFER HEIGHTS, a six-lot subdivision, at 5615 Conifer Trail and 5616 Mahoney Ave

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

Section 1. Background.

1.01 Capital Development, LLC has requested preliminary plat approval for CONIFER HEIGHTS. (Project 19016.19a).

1.02 The site is located at 5615 Conifer Trail and 5616 Mahoney Ave.

It is legally described as follows:

Parcel B:

The south 100 feet of the North 200 feet of the west half of the east half of the north half of the Northwest quarter of the southeast quarter of the northeast quarter of Section 31, Township 117, Range 22, Hennepin County, Minnesota.

Parcel C:

The north half of the northwest quarter of the southeast quarter of the northeast quarter of Section 31, Township 117 North, Range 22 West of the 5th principal meridian, except the north 126.8 feet of the east quarter thereof.

AND EXCEPT:

The south 100 feet of the north 200 feet of the west half of the east half of the north half of the northwest quarter of the southeast quarter of the northeast quarter of Section 31, Township 117, Range. 22.

1.03 On July 11, 2019, 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 is incorporated by reference into this resolution. The

commission recommended that the city council grant preliminary plat approval.

Section 2. General Standards.

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

Section 3. Findings.

3.01 The proposed preliminary plat meets the design requirements as outlined in City Code §400.030.

Section 4. Council Action.

4.01 The above-described preliminary plat is hereby approved, subject to the following conditions:

1. Final plat approval is required. A final plat will not be placed on a city council agenda until a complete final plat application is received. The following must be submitted for a final plat application to be considered complete:
 - a) A signed ALTA survey.
 - b) A final plat drawing that clearly illustrates the following:
 - 1) A minimum 10-foot wide drainage and utility easements adjacent to the public right-of-way(s) and minimum 7-foot wide drainage and utility easements along all other lot lines.
 - 2) Utility easements over existing or proposed public utilities, as determined by the city engineer.
 - 3) Drainage and utility easements over wetlands, floodplains, and stormwater management facilities, as determined by the city engineer.
 - 4) A minimum 20-foot right of way along Mahoney Ave.
 - 5) The outlot incorporated into Lot 6.
 - c) Documents for the city attorney's review and approval. These documents must be prepared by an attorney knowledgeable in the area of real estate.

- 1) Title evidence that current within thirty days before the release of the final plat.
 - 2) Conservation easements over the 25-foot wetland buffer and a drawing of the easements. The easement may allow removal of hazard, diseased, or invasive species.
 - 3) Documents establishing a homeowners' association. The association must be responsible for maintaining any common areas, common drives, required drainage ponding, and any other required drainage improvements approved by the City. Maintenance will include, but not be limited to, the periodic removal of sedimentation at the base of the pond and any adjacent drainage ditches, keeping a vegetative cover within the ditches and pond, and removing any blockage of the swale or culvert that may impede the drainage of the site, as approved with the building permits.
 - 4) A Contract for Residential Development (or Developers Agreement) if the applicant or developer is constructing any public improvements. This agreement must guarantee that the developer will complete all public improvements and meet all city requirements.
 - 5) Stormwater maintenance agreement in the city approved format.
- d) Outstanding taxes must be paid in full.
2. Prior to final plat approval:
- a) This resolution must be recorded with Hennepin County.
 - b) The documents outlined in section 4.01(1)(c) above must be approved by the city attorney.
3. Submit the following prior to the release of the final plat for recording:
- a) Two sets of mylars for city signatures.
 - b) An electronic CAD file of the plat in microstation or DXF and PDF format.
 - c) Park dedication fee of \$20,000.
4. Subject to staff approval, CONIFER HEIGHTS, must be developed and

maintained in substantial conformance with the following plans, except as modified by the conditions below:

- Survey dated Feb. 2019.
- Site plan dated May 9, 2019.
- Preconstruction erosion and demolition plans dated May 9, 2019.
- Tree survey, mitigation and preservation plans dated May 9, 2019.
- Grading and erosion control plan dated May 9, 2019.
- Utility plan dated May 9, 2019.

5. A grading permit is required. Unless authorized by appropriate staff, no site work may begin until a complete grading permit application has been submitted, reviewed by staff, and approved.

a) The following must be submitted for the grading permit to be considered complete.

- 1) Evidence of filing the final plat at Hennepin County and copies of all recorded easements and documents as required in section 4.01(1)(a)(2) of this resolution.
- 2) An electronic PDF copy of all required plans and specifications.
- 3) Final site, grading, drainage, utility, landscape, tree mitigation plans, and a stormwater pollution prevention plan (SWPPP) for staff approval.

a. Final grading plan must:

- Be adjusted as much as possible to maintain tree loss and adequately preserve trees.
- Include B612 curb with curb cuts at proposed driveway locations.

b. Final stormwater management plan is required for the entire site's impervious surface. The plan must demonstrate conformance with the following criteria:

- Rate: limit peak runoff flow rates to that of existing conditions from the 2-, 10-, and 100-year events at all point where stormwater leaves the site.

- Volume: provide for onsite retention of 1-inch of runoff from the site's impervious surface.
- Quality: provide for runoff to be treated to at least 60-percent total phosphorus annual removal efficiency and 90-percent total suspended solid annual removal efficiency.

In addition:

- Locate the STMH 100 in curb line rather than in the roadway to connect to the existing storm sewer.
- Storm pipe sizing cannot decrease in size in the downstream direction. Maintain 24-inch.
- Bioretention basin must draw down in 48 hours. Maximum ponding depth is 18 inches.

c. Final utility plan must:

- Use the updated detail plates.
- Include profiles of utilities for review of grades and depth.
- Indicate that the water main pipe is DIP.
- Show service locations and locate the water services outside of the driveway.
- Illustration installation of an isolation valve outside of cul-de-sac for green space isolation.
- Illustration installation of a gate valve on the southern leg of Mahoney Ave connection.
- Indicated no water services may come from the side yard. Services must be located outside of the green space isolation valves.
- Illustrate unused water service pipe on Mahoney Avenue must be removed back to

the main, with the corporation stop turned off and a city-approved repair clamp to cover the corporation stop.

- Note wet tap the 6-inch main on Mahoney Avenue.
 - Locate SSMH 2 to roadway in line with SSMH 1.
 - Illustrate drop manhole structure to be outside drops.
- d. Final landscaping and tree mitigation plans must meet minimum landscaping and mitigation requirements as outlined in the ordinance. However, at the sole discretion of natural resources staff, mitigation may be adjusted based on site conditions. In addition:
- No more than four high priority trees can be removed.
 - Based on the submitted plans the mitigation requirements would be 19, two-inch trees.
- 4) Individual letters of credit or cash escrow for 125% of a bid cost or 150% of an estimated cost to construct streets and utility improvements, comply with grading permit, wetland restoration, tree mitigation 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 streets and utilities have 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.
- 5) 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.
- 6) A copy of the approved MPCA NPDES permit.
- 7) A MDH permit for the proposed water main or documentation from the MDH that a permit is not required.

- 8) A MPCA sanitary sewer extension permit or documentation from the MPCA that a permit is not required.
 - 9) Evidence of closure/capping of any existing wells, septic systems, and removal of any existing fuel oil tanks.
 - 10) All required administration and engineering fees.
 - 11) Evidence that an erosion control inspector has been hired to monitor the site through the course of construction. This inspector must provide weekly reports to natural resource staff in a format acceptable to the city. At its sole discretion, the city may accept escrow dollars, in an amount to be determined by natural resources staff, to contract with an erosion control inspector to monitor the site throughout the course of construction.
 - 12) Cash escrow in an amount of \$3000. 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.
- b) Prior to issuance of the grading permit, a pre-construction meeting is required.
 - c) Prior to issuance of the grading permit, 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.
 - d) Permits may be required from other outside agencies including, Hennepin County, the Riley-Purgatory-Bluff Creek Watershed District, and the MPCA. It is the applicant's and/or property owner's responsibility to obtain any necessary permits.
6. Prior to issuance of a building permit for the first new house within the

development, submit the following documents:

- a) A letter from the surveyor stating that boundary and lot stakes have been installed as required by ordinance.
- b) A letter from the surveyor stating that all encroachments onto other properties, as noted on the survey, have been removed and the areas restored.
- c) Proof of subdivision registration and transfer of NPDES permit.

7. Prior to issuance of a building permit for any of the lots within the development:

- a) Submit the following items for staff review and approval:
 - 1) A construction management plan. This plan must be in a city-approved format and outline minimum site management practices and penalties for non-compliance. If the builder is the same entity doing grading work on the site, the construction management plan submitted at the time of grading permit may fulfill this requirement.
 - 2) Final grading and tree preservation plan for the lot. The plan must:
 - a. Be in substantial conformance with the approved plans.
 - b. Protect trees to remain on site as required by city staff.
 - c. Show sewer and water services to minimize impact to any significant or high-priority trees. No trees may be removed for installation of services.
 - d. Meet minimum mitigation requirements, as outlined in the ordinance. However, at the sole discretion of staff, mitigation may be decreased.
 - 3) 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.

- b) 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.
 - c) Install heavy duty fencing, which may include chain-link fencing, at the conservation easement. This fencing must be maintained throughout the course of construction.
 - d) Submit all required hook-up fees.
8. All lots and structures within the development are subject to all R-1 zoning standards. In addition:
- a) All structures must meet the required wetland setback.
 - b) All lots within the development 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.
9. 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.
10. During construction, the streets must be kept free of debris and sediment.
11. The property owner is responsible for replacing any required landscaping that dies.

12. The city must approve the final plat within one year of the preliminary approval or receive a written application for a time extension, or the preliminary approval will be void.

Adopted by the City Council of the City of Minnetonka, Minnesota, on July 22, 2019.

Brad Wiersum, Mayor

Attest:

Becky Koosman, City Clerk

Action on this resolution:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

Absent:

Resolution adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Minnetonka, Minnesota, at a duly authorized meeting held on July 22, 2019.

Becky Koosman, City Clerk