Agenda

Minnetonka City Council

Regular Meeting, Monday, January 4, 2016

6:30 P.M.
Council Chambers

Administer Oaths of Office to:
Council Member, Ward 1 – Bob Ellingson
Council Member, Ward 2 – Tony Wagner
Council Member, Ward 3 – Brad Wiersum
Council Member, Ward 4 – Tim Bergstedt

1. Call to Order

2. Pledge of Allegiance

3. Roll Call: Wagner-Ellingson-Allendorf-Acomb-Wiersum-Bergstedt-Schneider

4. Approval of Agenda

5. Approval of Minutes: December 21, 2015 regular meeting

6. Special Matters:
   A. Presentation regarding suburb to suburb service along Highway 169 from Shakopee to Maple Grove

7. Reports from City Manager & Council Members

8. Citizens Wishing to Discuss Matters Not on the Agenda

9. Bids and Purchases: None

10. Consent Agenda - Items Requiring a Majority Vote:
    A. Resolution designating an Acting Mayor and Alternate Acting Mayor for 2016
    B. Ordinance regarding vacation procedures
    C. Designation of the city’s official newspaper for 2016

11. Consent Agenda - Items Requiring Five Votes: None
12. Introduction of Ordinances:
   A. Ordinance regarding dangerous and potentially dangerous animals
      Recommendation: Introduce the ordinance (4 votes)

13. Public Hearings: None

14. Other Business:
   A. Items concerning a hotel and day care on the property at 6030 Clearwater Drive:
      1) Major amendment to the existing Minnetonka Corporate Center master development plan;
      2) Preliminary and final plats;
      3) Conditional use permit;
      4) Site and building plan review; and
      5) Sign plan amendment.
      Recommendation: Adopt the ordinance and resolutions approving the proposal (4 votes)

   B. Resolution for the 2016 Street Rehabilitation project, Oakland Road area
      Recommendation: Adopt the resolution (Majority vote)

   C. Concept Plan for redevelopment of the TCF Bank site at 1801 Plymouth Road
      Recommendation: Discuss concept plan with the applicant. No formal action required.

15. Appointments and Reappointments: None

16. Adjournment
Minutes
Minnetonka City Council
Monday, December 21, 2015

1. Call to Order

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

2. Pledge of Allegiance

All joined in the Pledge of Allegiance.

3. Roll Call

Council Members Tim Bergstedt, Tony Wagner, Bob Ellingson, Dick Allendorf, Patty Acomb, Brad Wiersum and Terry Schneider were present.

4. Approval of Agenda

Acomb moved, Wiersum seconded a motion to accept the agenda with an addendum to item 11A. All voted “yes.” Motion carried.

5. Approval of Minutes:

A. November 23 and December 7, 2015 council meetings

Allendorf moved, Bergstedt seconded a motion to accept the November 23, 2015 council minutes, as presented. All voted “yes.” Motion carried.

Allendorf moved, Bergstedt seconded a motion to accept the December 7, 2015 council minutes, as presented. Bergstedt, Ellingson, Allendorf, Acomb, Wiersum, and Schneider voted “yes.” Wagner abstained. Motion carried.

B. Revised council meeting minutes for June 22, 2015

Allendorf moved, Bergstedt seconded a motion to accept the revised June 22, 2015 council minutes. All voted “yes.” Motion carried.

6. Special Matters: None

7. Reports from City Manager & Council Members

City Manager Geralyn Barone reported on upcoming council meeting dates.
Wiersum said he attended the grand opening of the new apartment building on the island by Carlson Towers. He said it was an impressive facility in a great location. It was a very nice amenity that will add a lot to the city.

Schneider said he attended the going away event for Heidi Nelson, the departing city manager for Wayzata. He and Barone also attended Hopkins Mayor Gene Maxwell’s going away event.

8. Citizens Wishing to Discuss Matters not on the Agenda

9. Bids and Purchases: None

10. Consent Agenda – Items Requiring a Majority Vote:

   A. Ordinance amending judicial review provisions

   Allendorf moved, Bergstedt seconded a motion to adopt Ordinance 2015-19 amending the judicial review provisions. All voted “yes.” Motion carried.

   B. 2016 general liability insurance and workers’ compensation renewals

   Allendorf moved, Bergstedt seconded a motion to authorize renewal of the city’s insurance policies through LMCIT for package policies with the following options:
   1) $25,000/$150,000 deductible for the package policies
   2) 100% Open Meeting law coverage
   3) No waiver of statutory limits
   And the renewal of the LMCIT workers’ compensation policy with a $10,000 deductible. All voted “yes.” Motion carried.

   C. Items related to Council Policy 11.6 – Use of the Burwell property

   Schneider pulled the item from the consent agenda. He said he had reservation about the hardline prohibition of having groups over 50 people at the site. He understood the city wanted to be cautious about the parking impact. The site fairly routinely has hosted events with well over 100 people without any issues. The challenge now was there would be more use than in the past with the new walkway and other amenities. He suggested adding a provision that would allow groups of more than 50 people if the applicant provides specific information about how parking would be handled to accommodate more people.

   Assistant City Manager Perry Vetter provided information about the park board discussion.
Schneider said he respected the park board’s opinion and rationale, but he disagreed with being so restrictive on the city’s premier location for events like weddings. There would be added vibrancy for the general public to see the events occur on the site.

Vetter said the park board determined the most desired location on the site for weddings likely would be Heritage Gardens. For the wedding that occurred last summer, the group provided its own rental chairs. There wasn’t a lot of room to accommodate a large group.

Allendorf said he agreed with the intent of Schneider’s suggestion. He asked if the city could provide a check off form that would require the applicant to specify how things like parking and restrooms would be handled. Vetter said there would be a permit application for groups of 10 or more. For the rest of the city’s park system a permit is required for groups of more than 25. The application asks for the type of logistical information Allendorf stated. Allendorf said he was thinking of requiring more prescriptive information such as for groups of 50 people at least three restrooms had to be provided etc. rather than just having people agree to provide restrooms. He was trying to incorporate the park board’s recommendation with a process to allow larger groups.

Wiersum said the proposed policy was an improvement over the moratorium. He would have no trouble approving the policy as is. He said the interesting thing about the Burwell House was it probably was the nicest publically owned venue of its type in the city. He also thought the park board’s recommendation was compelling. It raised the question if the city would consider at some point adding the necessary amenities to address the concerns about things like restrooms and shelters for inclement weather. It would never be a venue large enough for big weddings, but for the range of 50-100 people it might be useful to look at what it would take to accommodate those groups.

Wagner said the Burwell site was a fabulous site but as someone in the events business, it was not constructed for large events. It was great for socializing and pictures. It’s hilly and lacked parking, restrooms, and shelter for bad weather. Although there maybe someone with a larger group who would want to use the site, it was more for smaller groups and the opportunity to take pictures before and after weddings, and those types of activities. He said he would lean toward supporting the staff recommendation with the idea that since the city wanted to attract more people into the Minnetonka Mills area, looking at what else needed to be done to accommodate that.
Schneider said the policy could be adopted as is and in addition monitor how many groups get up to 50 people and what the impact of those groups are. If it was determined the larger groups worked out well and could have accommodated more people without any issues, then the policy could be adapted.

Bergstedt said he supported the policy. He said it was such a visible location, probably the most recognizable area in the city. Just to have it open for occasional tours was a gross underutilization. If people plan events and things don’t go well, it still was a city owned property and he didn’t want the city to be blamed even if people were told beforehand about potential challenges. He said he would much rather start with the policy limiting use to groups of 50 and under, and if it was later determined things were working well and there were simple steps that could be implemented to allow larger groups, then the policy could be amended. He would much rather incrementally increase the number then have the number be 100 people and have some unfortunate experiences occur.

Acomb said she supported the policy. She noted her wedding was an outdoor wedding and she had a backup in case it was raining. If the weather was looking iffy, she would have gone to her backup rather than crossing her fingers and hoping for the best. She thought anybody committed to an outdoor wedding knows the risk. She said building another shelter on the site was not in the city’s interest nor would it fit with the site. She thought there was potential to increasing the limit at some point.

Barone said one option would be to adopt the policy for next season, and have the park board review how things worked similar to what is done with other park facilities.

Schneider said another suggestion was to require groups of a certain number to pay for a city staff person to be onsite to monitor things and make sure things work well. Vetter said the proposed policy included a provision that provides a small stipend for the tour guides that come in for the events other than the tours. The policy also includes provisions to allow alcohol at the events with an off duty police officer onsite. A community service officer could also be present to help with traffic control. The costs would be captured through the permit process.

Wiersum moved, Allendorf seconded a motion to adopt resolution 2015-135 amending City Council Policy 11.6, Use of Minnetonka Mills Park and the Burwell Property. All voted “yes.” Motion carried.
11. Consent Agenda – Items requiring Five Votes:

   A. Resolution accepting gifts, donations and sponsorships given to the city during 2015

   Allendorf moved, Wiersum seconded a motion to adopt resolution 2015-136 approving acceptance of gifts, donations and sponsorships given to the city during 2015, which has a total estimated value of $267,723.00 (with the addendum). All voted “yes.” Motion carried.

   B. Applications for renewed precious metals and secondhand dealer licenses for 2016

   Allendorf moved, Wiersum seconded a motion to approve the precious metal and secondhand dealer licenses for Evergreene Jewelers; Ideal Diamond, Inc.; Best Buy #4; Best Buy Mobile #2975; Best Buy #2621; and Shane Co. for license year January 1, 2016 through December 31, 2016. All voted “yes.” Motion carried.

12. Introduction of Ordinances:

   A. Ordinance regarding vacation procedures

   City Attorney Corrine Heine gave the staff report.

   Wagner moved, Acomb seconded a motion to introduce the ordinance. All voted “yes.” Motion carried.

13. Public Hearings:

   A. Resolutions supporting an application for DEED for funds from the Minnesota Investment Fund

   Community Development Director Julie Wischnack gave the staff report.

   Steve Davies from NatureWorks said in simple terms the company turns greenhouse gas into everyday materials. He said the company challenged the paradigm that everyday products had to be made out of petroleum but instead could be made out of renewable resources instead. NatureWorks employs around 100 people. The next step for the company was to diversify its portfolio of feed stock rather than just using carbon dioxide from plant sugars. The project was to start using methane as well. The money from DEED would allow the company to hire six more people and build out a research and development lab.
Bergstedt noted the request was a loan from the state. All the money would be from the state. The city would service the loan but none of the funding was from the city. This process had been previously used.

Schneider opened the public hearing at 7:06 p.m. No one spoke. He closed the public hearing at 7:06 p.m.

Bergstedt moved, Acomb seconded a motion to adopt resolution 2015-137 supporting the application to DEED for funds from the Minnesota Investment Fund. All voted “yes.” Motion carried.

14. Other Business:

A. Applications for renewed liquor licenses for 2016

Wischnack gave the staff report.

Wagner said he spoke with the parties involved with the parking easement. He was confident the issue would be resolved. He said he was comfortable renewing the liquor license but encouraged the parties to come to closure on the issue. The reality was when Play and Learn came in with its application, he was concerned that there might be parking issues. The reality was there had not been any parking challenges with the three restaurants.

Barone said the city attorney was involved with reviewing the draft agreements.

Allendorf said the council had visited the issue a number of times and each time it warned the parties the agreement better be signed or the city would take action. He asked, based on the experience with the existing restaurants, and with a potential new owner, if the cross parking agreement really was necessary or instead if it was time to acknowledge things had changed.

Wagner said his suggestion was to not include the condition of approval for the Lone Spur license. His opinion was if the same access was shared and if people park wherever they want to park, there should be a cross parking easement in place. Currently there is not an issue, but someday a disagreement might arise and it would be a good idea to have an agreement in place.

Wiersum said the city had pushed hard to get the required easement in place but had not been successful. At the same time the businesses had not been particularly successful. The genesis for the provision was if there
were three restaurants then the parking lot might get full and a cross parking easement was necessary. The reality was one restaurant went out of business and the other two businesses weren’t as robust as they likely would like to be. The hope was there would be successful businesses and a cross parking easement would be necessary.

Bergstedt said the requirement was put in place in 1988 and 27 years later after multiple times before the council, and hours and hours of staff time, the issue still was not resolved. It made all the sense in the world to get the cross easement in place before there was a problem. He said either something should be done using the liquor license approval or remove the requirement all together. He said continuing the same approach causes staff and the council to lose credibility with the parties involved.

Schneider said he was sympathetic to the notion the ongoing issue had not been resolved but he didn’t think what was required, with the mass cross easement, was still necessary. He did not know what the current issues were that were causing further delay, but thought there had to be a way to find a workable resolution.

Wischnack suggested if another business comes in that needs a special permit or a CUP, then the cross parking issue be addressed at that time.

Allendorf said he took Wischnack’s comments to mean that the issue wouldn’t be further addressed until the time something came together where the parking was an issue or perceived to be an issue. No further staff time would be spent until that time. He supported that and didn’t want staff to spend a lot of time on something the city did not have a lot of leverage to get resolved.

Wagner said the alternative was a cross parking easement would be agreed to. This was still a possibility based on the conversations he had with the parties. The stick the city could use was to revoke the CUP. He didn’t think this would be wise given the existing situation, but it was something the city could use.

Wagner moved, Acomb seconded a motion to approve all of the renewals without the condition of approval placed on the Cedar Hills Ribs, Inc. (Lone Spur Gill & Barr) liquor license. All voted “yes.” Motion carried.

15. Appointments and Reappointments: None
16. Adjournment

Wiersum moved, Wagner seconded a motion to adjourn the meeting at 7:23 p.m. All voted “yes.” Motion carried.

Respectfully submitted,

David E. Maeda
City Clerk
City Council Agenda Item #6A
Meeting of January 4, 2016

**Brief Description**  Presentation regarding suburb to suburb service along Highway 169 from Shakopee to Maple Grove

**Recommendation**  Hear the presentation

**Background**

The Minnesota Valley Transit Authority (MVTA) will present information about a new bus route they are providing. The transit service is a new route, operated by the MVTA, which will provide connections to various suburbs including the city of Minnetonka, primarily in the southeastern portion of the city. The route is also operated with cooperation with Southwest Transit, Plymouth Metrolink, and Maple Grove Transit. MVTA will explain the route location, times, and stops.

**Recommendation**

Hear the presentation.

Submitted through:
Geralyn Barone, City Manager

Originated by:
Julie Wischnack, AICP, Community Development Director
City of Minnetonka
January 4, 2016
What is the S2S?

• A Suburb to Suburb Express Bus Demonstration Project
  o Intended to increase access to employers in Western Suburbs along 169 and 494 corridors

• Funded directly by the MN Legislature
  o $2 Million over 2 years

• Designed and operated jointly by the Suburban Transit Providers
  o Utilize existing facilities and fleets
The Original Concept

- Based on employment centers
- Census Data
- Travel to Work Data
Legislative Criteria

- Scope of service offering improvements
- Integration with transit facilities and major business, retail or suburban centers
- Complementary to existing services
- Density of employment along the proposed route
Service Plan

• 20 one-way trips/weekday
  o 30 minute service, focus on peak commuter hours

• Key Hubs
  o Marschall Road Transit Station, SouthWest Transit Station, Hopkins
    Crossroad Park & Ride, Station 73 Park & Ride, Maple Grove Transit Station

• Two Variations
  o 12 trips/day operate directly through SouthWest Station
  o 8 trips/day serve Golden Triangle & bypass SouthWest Station

• One-seat ride for majority of the corridor
  o Separate bus connecting Station 73 & Maple Grove
  o Local service connections

• Local Peak Fare ($2.25/trip)
Service Schedule

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<th>Northbound AM Peak (5 trips)</th>
<th>Northbound PM Peak (5 trips)</th>
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<td>Arrive Marschall Road TS</td>
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<td>6:30 AM to 7:55 AM</td>
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Outreach

• S2S dedicated website
  o [www.S2S494.com](http://www.S2S494.com)

• Meet with local employers
  o Provide 1-page fact sheet and schedules
  o On-site transit fairs
  o Request co-sponsors for bus wraps & other promotions

• Other stakeholder meetings
  o City and County elected officials
  o Corridor Commissions
  o Chambers of Commerce

• Media
  o Local newspapers and newsletters
  o Social media
## Getting the “Last Mile”

<table>
<thead>
<tr>
<th>Service Demand</th>
<th>Potential Solution</th>
<th>Employer Role</th>
<th>Transit Provider Role</th>
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<tbody>
<tr>
<td></td>
<td>Vanpool, Carpool, Carsharing</td>
<td>Use regional vanpool program to develop transit demand and grow ridership</td>
<td>Collaborate to implement transit service with the most potential</td>
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<tr>
<td></td>
<td>Employer Shuttle</td>
<td>Partner with other employers to provide joint shuttle from transit station</td>
<td>Coordinate connecting transit services with shift times &amp; shuttle</td>
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<td></td>
<td>Local Transit Service/Dial-a-ride</td>
<td>Provide transit providers with location, shift, &amp; other details about potential users</td>
<td>Refine local service based on demand &amp; recommendations</td>
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<tr>
<td></td>
<td>Reverse Commute/Express Transit Service</td>
<td>Provide providers with location, shift, &amp; other details about potential users</td>
<td>Refine reverse commutes &amp; express routes based on demand</td>
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</tbody>
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Project Schedule

Jan '16
- Service Begins

June
- Rider Survey
- 6-month service review

Jul/Aug
- Minor Schedule Revisions (if needed)

Jan '17
- 1-year service review

Feb
- Service Revisions (if needed)
Contact Information

- Jane Kansier, MVTA
  jkansier@mvta.com
  952-230-1256
- Robin Selvig, MVTA
  rselvig@mvta.com
  952-882-7504
Suburb 2 Suburb Bus Service Begins Jan. 19

A “first of its kind” collaborative effort begins transit service on Tuesday, Jan. 19, 2016 serving Eden Prairie, Hopkins, Maple Grove, Plymouth and Shakopee. Funded directly by the Minnesota Legislature, the Suburban Transit Association (STA) will provide suburb-to-suburb service on Route 494, with a one-seat ride between Shakopee’s Marshall Road Transit Station and Station 73 in Plymouth (via SouthWest Station or the Golden Triangle in Eden Prairie) with connecting service to/from Maple Grove Transit Station.

Designed to demonstrate express bus service between suburbs can be successful in the Twin Cities, Route 494 is aimed at increasing access to major employment and commercial centers throughout the Twin Cities western suburbs.

The service plan includes 20 trips operating about every 30 minutes, in both northbound and southbound directions during the morning and afternoon peak periods.

Businesses along the corridor include: Boston Scientific (Maple Grove), United Health Group (Eden Prairie & Minnetonka), Datacard (Shakopee), Mosaic (Plymouth) and many more. There will also be service to the Golden Triangle area of businesses in Eden Prairie.

Service will use existing facilities and fleet and will integrate with local routes at major Park & Ride locations in Eden Prairie, Minnetonka (Hopkins Crossroads), Maple Grove, Plymouth and Shakopee.

A series of Guiding Principles was adopted by the Suburban Transit Providers collaborating on the service (Maple Grove Transit, Minnesota Valley Transit Authority, Plymouth Metrolink and SouthWest Transit). These principles include:

1. Provide service to meet the unmet needs of employers in the Suburban Providers’ service areas.

"I have been a long-time supporter of our suburban transit providers. Providing a ride from Shakopee to Maple Grove increases opportunities for commuters from Dakota County and the south metro, and is an excellent way for us to grow transit while serving the unmet needs of employees and employers along the route."

Sen. Jim Carlson, D-51
Eagan & Burnsville, MN
2. Establish service priorities, based on population and employment centers.

3. Establish and provide service based on the demonstration project budgeted resources. (In 2015, The Minnesota Legislature authorized $2,000,000 for this project.)

4. Commitment to a minimum time frame to establish and operate the service, including establishment of a set of performance benchmarks to measure the success of the project and to make adjustments as needed.

**Schedule**

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<th>Direction</th>
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<th>MRTS</th>
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<th>Shady Oak &amp; Optum Campus</th>
<th>NORTHBOUND - MORNING PEAK</th>
<th>SWNTS</th>
<th>Hopkins OF F&amp;R</th>
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**Fares**

A local peak fare ($2.25 per trip) will be charged on this demonstration route. Transfers to local or other routes may include an additional fee. All buses will be equipped with regional fare equipment and will accept Go-To cards, Metropasses, tokens, Stored Value cards and cash. Change is not available.

**For More Information:**

Businesses interested in learning more about the service are invited to contact either SouthWest Transit or Minnesota Valley Transit to schedule an appointment and/or a Commuter Fair.

View the website at [www.S2S494.com](http://www.S2S494.com) for more information or to submit a comment or question.

[www.S2S494.com](http://www.S2S494.com)
Fares

Adults, Seniors and Youth $2.25
Persons with Disabilities $ .75 (must be pre-qualified)

Children age 5 and under ride free (limit 3 per paid fare)
Fares are subject to change.
Visit www.S2S494.com for fare updates.
Disabled Veterans ride free at all times. An ID issued by the U.S. Department of Veterans Affairs showing "Service Connected" or "SC" must be shown to the driver.

Transfers

Transfers allow you to ride intersecting routes and are good for a 2 1/2 hour period of travel in any direction; ask your driver for a transfer when paying your fare in cash. Transfers are built into Go-To Cards.

Customers should always alert the driver of their desire to connect to another route. A minimum connection time of 7 to 10 minutes is suggested.

Riders transferring to connecting service should request an S2S transfer. No additional charges are anticipated on the local service, but this is subject to change.

General Information

Paying your Fare

Pay the full fare when boarding. Please have exact fare ready. Dollar bills are accepted, but drivers cannot make change. Passes are not available for purchase on the bus.

Go-To Card

Go-To cards offer a fast and convenient way to pay transit fares. The durable, plastic card tracks cash value and 31-day passes. Simply touch the Go-To card to the card reader and the appropriate fare is deducted automatically. Go-To cards are rechargeable and are accepted on any regular route bus and the Blue Line. Funds can be added to your Go-To Card online or over the phone.

Where to Purchase Go-To Cards:

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<th>Location</th>
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<td>Eden Prairie</td>
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<td>Plymouth</td>
<td>Cub Foods, 9970 Prairie Center Drive</td>
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<td>Southside Transit</td>
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<tr>
<td>Savage</td>
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SuperSavers

SuperSaver 31-Day Passes offer unlimited bus riding for a 31 consecutive day period starting on the first day of use.

SuperSaver Stored Value Cards provide $11 in bus fares for $10, $22 in bus fares for $20, or $44 in bus fares for $40. When the card is used, an amount equal to the cash fare is deducted. Stored Value Cards can be used for any adult fare, and have no expiration date.

To use a 31-Day Pass or Stored Value Card, insert it in the card reader. The correct value will be deducted from the Stored Value Card, or will read the 31-Day Pass.

Guaranteed Ride Home

Guaranteed Ride Home is a free program that gets you from home, work or school if you have a family emergency or have to work late unexpectedly. You can use Guaranteed Ride Home for an emergency taxi, carshare, on-demand ride-share, rental car or transit trip.

How does it work?

Complete a free online registration. Registered participants can request reimbursements up to four times per year or $100 in total value, whichever comes first, for eligible trips with valid documentation.

Who is eligible?

To be eligible for Guaranteed Ride Home you must:

- Ride the bus, METROD or bus north, or carpool, vanpool, bike or walk to work or school at least three times per week.
- Pre-register for the program.
- Have an email address and internet access.

What type of trips are eligible?

- Unexpected overtime that forces you to miss your bus, train, carpool or vanpool.
- You become ill and need to leave work or school early.
- An immediate family member becomes ill and needs to be picked up early from daycare, school or work.
- Your carpool or vanpool driver unexpectedly needs to leave work early or stay late.

How do I get started?

Create an account with your commute information at http://mnmetrotwins.rideshome.com/Account/Register

To use your ride home on a bus or train, a Go-To Card or pass is required. Use your Go-To Card or pass to pay for the ride. Within a week of the trip, log in to your account and fill out an online reimbursement request. We'll credit your balance with the amount you paid.

To use your ride home for a taxi, carshare, transportation network company (Uber, Lyft, etc.) or car rental trip, contact the provider of your choice. A Go-To Card is not required for taxi reimbursement. Pay for the ride and be sure to get a signed and dated receipt that has the service provider’s name and contact information printed on it. Within 10 days of your ride, fill out an online reimbursement request. Print the request form and submit it by mail along with your receipt – late submissions and submissions from unlicensed taxis will be declined. You receive your reimbursement check by mail within 21 days after we receive the request form.

Accessibility

All buses are accessible, either withknawing buses, ramps or lifts. Riders should feel comfortable asking the driver to use the ramp or to have the bus "kneel," if necessary.

Bicycle Information

All buses have bike racks to carry two bicycles while customers ride the bus.
### Route 494

**About this route**

Route 494 provides suburb-to-suburb service with a one-seat ride between Shakopee's Marshall Road Transit Station and Station 73 in Plymouth (via SouthWest Station or the Golden Triangle in Eden Prairie) with connecting service to/from Maple Grove Transit Station. This "Demonstration Route" is aimed at increasing access to major employment and commercial centers throughout the "Twin Cities" western suburbs.

**Holiday Service**


Refer to [www.525494.com](http://www.525494.com) for more details.

**Contact Us**

email: info@525494.com

website: [www.525494.com](http://www.525494.com)

**Customer Service:**

- MVTA: 952-882-7500
- SouthWest Transit: 952-949-2910 (2287)

**Connecting Service:**

- Maple Grove Transit Dial-a-Ride: 763-493-2200
- MVTA Route 496: 952-882-7500
- Plymouth Metrolink Dial-a-Ride: 763-509-5057
- SouthWest Transit PRIME: 952-797-7463

Riders transferring to connecting service should request an SSB transfer. No additional charges are anticipated on the local service, but this is subject to change.

### Northbound

**Monday through Friday only**

<table>
<thead>
<tr>
<th>Bus Route</th>
<th>Destination</th>
<th>East Pickup</th>
<th>West Pickup</th>
<th>Marshall Road Transit Station</th>
<th>Station 73</th>
<th>Blue Lake Rd</th>
<th>North Side</th>
<th>Lucky Lake</th>
<th>Coon Rapids</th>
<th>Pineview</th>
<th>Plymouth</th>
<th>Maple Grove Transit Station</th>
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<td>5:56</td>
<td>6:00</td>
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<td>5:30</td>
</tr>
</tbody>
</table>

**Morning Rush Hours**

| 5:29 | 5:49 | 5:56 | 6:13 | 6:31 |
| 5:30 | 5:50 | 5:56 | 6:13 | 6:31 |
| 5:31 | 5:51 | 5:56 | 6:13 | 6:31 |

**Afternoon Rush Hours**

| 4:06 | 4:25 | 4:28 | 4:30 | 4:31 |
| 4:06 | 4:25 | 4:28 | 4:30 | 4:31 |
| 4:06 | 4:25 | 4:28 | 4:30 | 4:31 |
| 4:06 | 4:25 | 4:28 | 4:30 | 4:31 |

**Southbound**

**Monday through Friday only**

<table>
<thead>
<tr>
<th>Bus Route</th>
<th>Destination</th>
<th>East Pickup</th>
<th>West Pickup</th>
<th>Marshall Road Transit Station</th>
<th>Station 73</th>
<th>Blue Lake Rd</th>
<th>North Side</th>
<th>Lucky Lake</th>
<th>Coon Rapids</th>
<th>Pineview</th>
<th>Plymouth</th>
<th>Maple Grove Transit Station</th>
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<td>4:38</td>
<td>5:29</td>
<td>5:29</td>
<td>8:00</td>
</tr>
</tbody>
</table>

**Morning Rush Hours**

| 4:39 | 4:57 | 5:09 | 5:27 | 5:45 |
| 4:40 | 4:58 | 5:09 | 5:27 | 5:45 |
| 4:41 | 4:59 | 5:09 | 5:27 | 5:45 |
| 4:42 | 4:59 | 5:09 | 5:27 | 5:45 |

**Afternoon Rush Hours**


**Notes:**

- No stops on 2nd Street.
- Morgan Transit Center is closed from 11am to 7pm.
- Bus will stop at any safe location along this route.
City Council Agenda Item #10A
Meeting of January 4, 2016

Brief Description: Resolution designating an Acting Mayor and Alternate Acting Mayor for 2016

Recommended Action: Make designation and adopt resolution

Background:

The City Charter requires that the city council choose from its members a person to serve as Acting Mayor in the Mayor’s absence or disability. In the past, the city council has also chosen an Alternate Acting Mayor to serve in the event the Mayor and Acting Mayor are unavailable.

Here is a list of the designations for the past five years:
   2015 – Bergstedt acting, Allendorf alternate
   2014 – Wagner acting, Allendorf alternate
   2013 – Wiersum acting, Wagner alternate
   2012 – Hiller acting, Wiersum alternate
   2011 – Allendorf acting, Hiller alternate

Recommendation:

Attached is a resolution that may be used to designate the Acting Mayor and Alternate Acting Mayor. After the city council has made these designations, the appropriate blank areas will be completed.

Based on the foregoing, the city council is requested to adopt the following motion (filling in the appropriate designations.)

   That the resolution designating Council Member _______ Acting Mayor and Council Member __________ as Alternate Acting Mayor for the year 2016 is hereby adopted.

Submitted through: Geralyn Barone, City Manager
                  Perry Vetter, Assistant City Manager

Originated by: David Maeda, City Clerk
Resolution No. 2016-001

Resolution designating the acting mayor and alternate acting mayor

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

Section 1. Background.

1.01. Section 2.06 of the Minnetonka City Charter authorizes the City Council to designate an Acting Mayor to serve in the absence of the Mayor.

1.02. Because there may be times when the Mayor and designated Acting Mayor are both out of the city, the designation of another councilmember is advised.

Section 2. Council Action.

2.01. For the calendar year 2016, Council Member ____ is designated as the Acting Mayor for the City of Minnetonka, to serve in the absence of the Mayor.

2.02. For the calendar year 2016, Council Member _____ is designated as the Alternate Acting Mayor for the City of Minnetonka, to serve in the absence of the Mayor and Acting Mayor.

Adopted by the City Council of the City of Minnetonka, Minnesota, on January 4, 2016.

______________________________
Terry Schneider, Mayor

Attest:

______________________________
David E. Maeda, City Clerk

Action on this resolution:

Motion for adoption:
Seconded by:
Voted in favor of:
Voted against:
Abstained:
Absent:
Resolution adopted
I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Minnetonka, Minnesota, at a duly authorized meeting held on January 4, 2016.

David E. Maeda, City Clerk
City Council Agenda Item #10B
Meeting of January 4, 2016

Brief Description: Ordinance regarding vacation procedures

Recommended Action: Adopt the ordinance

Background

The city charter was amended in January 2015 to modify the procedure for vacating streets, alleys, easements and public grounds. The charter no longer requires petitions for vacation but simply requires an application.

City staff members have reviewed the procedures used for vacating public interests and have prepared the proposed ordinance. The ordinance improves internal efficiencies by transferring primary responsibility for vacation applications to the engineering department rather than the planning department. Only applications that are related to pending land use applications will be submitted to planning for review.

In addition to improving internal efficiencies, the proposed ordinance also sets out specific requirements for notifying utility companies and affected property owners. The city has utilized those procedures in practice, but the ordinance is intended to ensure clarity and consistency in notification procedures.

The ordinance was introduced on December 21, 2015, and no questions were raised.

Recommendation

Adopt the ordinance

Submitted through:
Geralyn Barone, City Manager
Julie Wischnack, AICP, Community Development Director
Will Manchester, City Engineer

Originated by:
Corrine Heine, City Attorney
Loren Gordon, AICP, City Planner
Jeremy Koenen, Assistant City Engineer
Ordinance No. 2016-___

An Ordinance relating to vacation of public streets, easements and grounds; amending the city code by adding section 1140; amending section 710.005 to establish the application fee

The City of Minnetonka Ordains:

Section 1. The Minnetonka City Code is amended by adding Section 1140 entitled “Vacation of Public Streets, Easements and Public Grounds,” as follows:

Section 1140. VACATION OF PUBLIC STREETS, EASEMENTS AND GROUNDS

1140.005. Purpose; council authority.

This section is adopted pursuant to section 12.06 of the city charter. The city council may vacate all or a part of any street, alley, public easement, public way or public ground, either upon its own motion or upon application as provided in this section.

1140.010. Application for vacation.

1. An application for vacation must be filed with the city engineer on a form provided by the city. An application must be signed by the owner of property that directly abuts the street, alley or public way to be vacated, or by an owner of property that is encumbered by the street, alley, public easement, public way or public ground to be vacated.

2. The applicant must provide the following information with the application:

   a. Information, written and graphic, that describes the reason for, and the location of, the proposed vacation, including whether the application relates to a pending request for subdivision, rezoning, or other land use approval;
   b. A legal description of the area to be vacated;
   c. A copy of the instrument that created the interest to be vacated, except that copies of plats are not required to be provided;
   d. Proof of the applicant’s ownership of property that abuts or is
encumbered by the interest to be vacated;
e. Names and addresses of other property owners whose properties the applicant knows are directly benefited by the easement to be vacated.

3. Upon receipt of the application, the engineer will determine the estimated costs for publication of the hearing, postage for the mailed notices, and recording fees for a notice of completion of proceedings. The application will not be processed until the applicant has paid those estimated costs, together with the fee specified in section 710 of this code. If the application is denied, the city will reimburse to the applicant the estimated amount of recording fees.

4. If the application relates to a pending request for subdivision, rezoning or other land use approval, the city engineer will refer the application to the community development department to process in conjunction with the land use application.

1140.015. Public Hearing Required.

1. The city engineer must notify every right of way user, as defined by Minnesota Rules 7819.0050, that has registered with the city of any application or council proposal for vacation, not less than two weeks in advance of the public hearing.

2. Notice of the public hearing must be published in the official means of publication at least two weeks in advance of the public hearing.

3. Notice of the public hearing must be mailed at least 10 days in advance of the hearing to (a) the owner of each property that abuts the area to be vacated; and (b) if the interest to be vacated was dedicated as part of a plat, the owner of each property in the plat; and (c) to owners of other properties, if any, that city staff determines receive public services from the area to be vacated and do not have alternate means of receiving the public services. For the purposes of giving mailed notice, the city engineer or community development department may use any appropriate records. Defects in the mailed notice will not invalidate the proceedings.

4. The council will conduct the hearing, consider the request, and render its decision. A street, alley, public easement, public way or public ground, or
portion thereof, may not be vacated unless the city council determines, by resolution, that there is no existing or future public need for the real estate interest that is vacated. The resolution must specify whether there are any existing utility facilities located within the area vacated and whether an easement for continued operation and maintenance of the facilities is reserved. The resolution must be adopted by a majority of all members eligible to vote.

1140.020. Notice of completion.

Upon the adoption of a vacation resolution, the city engineer will prepare and record in the county land records a notice of completion of vacation.

Section 2. Section 710.005, subdivision 15, relating to fees for land use applications, is amended by deleting the following:

vacation of easement application $800.00 400.080

Section 3. Section 710.005 is amended by adding a new subdivision 37 as follows and by renumbering all subsequent subdivisions accordingly:

vacation of street, alley, easement or public ground $800.00 1140.010
plus costs

Section 4. A violation of this ordinance is subject to the penalties and provisions of Chapter XIII of the city code.

Section 5. This ordinance is effective 30 days after publication.

Adopted by the city council of the City of Minnetonka, Minnesota, on

Terry Schneider, Mayor
Attest:

______________________________
David E. Maeda, City Clerk

Action on this Ordinance:

Date of introduction: December 21, 2015
Date of adoption:
Motion for adoption:
Seconded by:
Voted in favor of:
Voted against:
Abstained:
Absent:
Ordinance adopted.

Date of publication:

I certify that the foregoing is a true and correct copy of an ordinance adopted by the city council of the City of Minnetonka, Minnesota, at a meeting held on

______________________________
David E. Maeda, City Clerk

The stricken language is deleted; the underlined language is inserted.
City Council Agenda Item #10C
Meeting of January 4, 2016

Brief Description: Designation of the city’s official newspaper for 2016

Recommended Action: Designate *Lakeshore Weekly News* as the city’s official newspaper for 2016

Background

The city charter requires the city council to designate a newspaper annually to publish the city’s legal notices, ordinance titles and summaries, and other official announcements. For 2016, Administrative Services has budgeted $15,000 from the Cable Fund for legal notices.

Requests for proposals for the city’s 2016 legal publication needs were sent to the *Minnetonka Sun-Sailor* and the *Lakeshore Weekly News*, with a submission deadline of Dec. 29, 2015. Both the *Sun-Sailor* and the *Lakeshore Weekly News* submitted proposals.

The *Lakeshore*’s primary office remains at 1001 Twelve Oaks Center Drive. This address is within the Minnetonka city limits and by state statute automatically qualifies the *Lakeshore* to serve as Minnetonka’s official newspaper.

The *Sun-Sailor*’s primary office is located at 10917 Valley View Road, Eden Prairie.

In spite of not having an office in Minnetonka, the *Sun Sailor* could qualify to serve as the city’s official newspaper under an exception provided in the state statute, requiring that “the publisher of the newspaper furnishes a sworn statement, verified by a recognized independent circulation auditing agent, covering a period of at least one year ending no earlier than 60 days before designation of the newspaper, stating that the newspaper’s circulation reaches not fewer than 75 percent of the households within the political subdivision.”

The *Sun Sailor* presented statistics from a one-year audit period ending September 24, 2015. This audit doesn’t meet the criteria of providing circulation figures showing the newspaper reaches at least 75% of Minnetonka households. The *Sun-Sailor*’s unofficial estimate is that the newspaper is delivered to approximately 65% of households in Minnetonka. Based on this information, the *Sun-Sailor* doesn’t qualify as a candidate for official newspaper for 2016.

For 2016, the *Lakeshore*’s per-line rate for first insertions is $1.06, with a cost of $.80 per line for subsequent insertions. This pricing is increased from last year’s pricing of $.80 per line for first insertions, and $.60 per line for subsequent insertions. While the
Lakeshore does not provide carrier delivery to homes, it distributes approximately 15,000 papers each week at 265 public locations, including Minnetonka City Hall. The city also posts all legal notices on its own website at www.eminnetonka.com.

City staff recommends the Lakeshore Weekly News be designated as the city’s official newspaper for 2016.

Recommendation

Designate Lakeshore Weekly News as the city’s official newspaper for 2016.

Submitted through:
  Geralyn Barone, City Manager
  Perry Vetter, Assistant City Manager

Originated by:
  Kari Spreeman, Communications and Marketing Manager
City Council Agenda Item #12A  
Meeting of January 4, 2016

**Brief Description:** Ordinance regarding dangerous and potentially dangerous animals

**Recommended Action:** Introduce the ordinance

**Background**

State laws govern “dangerous dogs” and “potentially dangerous dogs,” terms that are defined by statute. The state law establishes procedures to follow in designating dogs as dangerous and also establishes certain requirements, such as microchipping and providing proper enclosures for dangerous dogs. The statutes allow local governments to adopt requirements for potentially dangerous dogs, as well as regulations for dangerous dogs that do not conflict with state law.

Minnetonka’s city code adopts the state law by reference but expands the law’s requirements to apply not only to dogs but to all animals. (In practice, the city has had occasion to designate only dogs as potentially dangerous or dangerous.) The city code includes requirements for leashing and confining potentially dangerous dogs that are not addressed in the state law.

Due to issues raised in recent hearings, city staff is recommending that the city’s ordinance be amended. Two of the proposed amendments simply restate what state law already provides; however, staff believes that including the provisions in the city ordinance will reduce confusion about the procedures that the city follows and the circumstances in which an animal cannot be declared dangerous, even if it has bitten or attacked a person or animal. The third amendment sets out particular requirements for the enclosure that must be used to secure a dangerous dog. The ordinance’s specific requirements add clarity to the general statutory requirements for a “proper enclosure.” It should be noted that the specific enclosure requirements only apply to dangerous dogs; the general statutory language continues to apply to other animal species.

**Recommendation**

Introduce the ordinance

Submitted through:  
Geralyn Barone, City Manager  
Jeff Sebenaler, Chief of Police

Originated by:  
Corrine Heine, City Attorney
Ordinance No. 2016-__

An Ordinance amending section 925.105 of the Minnetonka City Code, relating to dangerous and potentially dangerous animals; clarifying procedures; adding requirements for proper enclosures of dangerous dogs

The City of Minnetonka Ordains:

Section 1. Section 925.105 of the Minnetonka City Code, relating to dangerous and potentially dangerous animals, is amended to read as follows:

925.105. Dangerous and Potentially Dangerous Animals.

1. **Dangerous animals** Adoption of statute. The provisions of Minn. Stat. §§ 347.50 through 347.56 are adopted by reference and govern dangerous animals in the city of Minnetonka, except that the word "animal" is substituted for the word "dog" wherever it appears in those statutes. Authorized city personnel will determine whether an animal is dangerous or potentially dangerous. Requests for a hearing regarding a determination will be referred to an independent hearing officer. An aggrieved party may obtain judicial review of the hearing officer’s decision by a court of competent decision.

2. Dangerous animals.

   a. An owner of a dangerous animal must keep the animal in a proper enclosure, as defined by statute, while on the owner’s property. The enclosure for a dangerous dog must meet the following specifications:

      (1) The sidewall height must be at least five feet;
      (2) The support posts must be buried at least 18 inches into the ground;
      (3) The enclosure must have secure sides and a secure top that is attached to the sides, constructed of 11 gauge or heavier wire with openings that do not exceed two inches;
      (4) The enclosure must have a secure bottom or floor attached to the sides of the enclosure, or the sides must be embedded in the ground no less than 18 inches.
      (5) The enclosure must be locked with a key or combination lock whenever occupied by the dangerous dog.
      (6) The enclosure must comply with all zoning and building regulations of the city.

The stricken language is deleted; the underlined language is inserted.
b. An animal may not be declared dangerous if the threat, injury, or damage was sustained by a person:

(1) who was committing, at the time, a willful trespass or other tort upon the premises occupied by the owner of the animal;
(2) who was provoking, tormenting, abusing, or assaulting the animal or who can be shown to have repeatedly, in the past, provoked, tormented, abused or assaulted the animal; or
(3) who was committing or attempting to commit a crime.

23. Potentially dangerous animals.

a. A person who owns, keeps, possesses, or acts as a custodian for a potentially dangerous animal must do the following:

(1) maintain the animal under restraint by use of a leash not exceeding six feet in length at all times when the animal is off the owner's premises;

(2) when the animal is on the owner's premises, confine the animal within a fenced enclosure sufficient to keep the animal from leaving the enclosure, or maintain the animal on a leash or chain not exceeding six feet in length;

(3) have a microchip identification implanted in the animal as required by Minn. Stat. §347.515; and

(4) provide notification of the death, change in ownership, or transfer of the animal in accordance with the requirements in Minn. Stat. §347.52(c) and (f).

b. The notice and hearing requirements provided in Minn. Stat. §347.541 apply to the determination by authorized city personnel that an animal is potentially dangerous.

34. Stopping an attack. If authorized city personnel are witness to an attack by an animal upon a person or another animal, the personnel may take whatever means the personnel deems appropriate to bring the attack to an end and prevent further injury to the victim.

Section 2. A violation of this ordinance is subject to the penalties and provisions of
Chapter XIII of the city code.

Section 3. This ordinance is effective 30 days after publication.

Adopted by the city council of the City of Minnetonka, Minnesota, on __________, 2016.

Terry Schneider, Mayor

Attest:

David E. Maeda, City Clerk

**Action on this Ordinance:**

Date of introduction:
Date of adoption:
Motion for adoption:
Seconded by:
Voted in favor of:
Voted against:
Abstained:
Absent:
Ordinance adopted.

Date of publication:

---
The stricken language is deleted; the underlined language is inserted.
I certify that the foregoing is a true and correct copy of an ordinance adopted by the city council of the City of Minnetonka, Minnesota, at a meeting held on

________________________________________

David E. Maeda, City Clerk
City Council Agenda Item #14A  
Meeting of January 4, 2016

**Brief Description**  
Items concerning a hotel and day care on the property at 6030 Clearwater Drive:

1) Major amendment to the existing Minnetonka Corporate Center master development plan;

2) Preliminary and final plats;

3) Conditional use permit;

4) Site and building plan review; and

5) Sign plan amendment.

**Recommendation**  
Adopt the ordinance and resolutions approving the proposal.

**Proposal**

Buhl Investors Minnetonka I, LLC Development is proposing to develop the six-acre property at 6030 Clearwater Drive. As proposed, a five-story, 102-unit, extended-stay hotel would be constructed on the west half of the site in the near term. A day care facility would be constructed on the east half of the site at some point in the future. (See pages A1–A21.)

**Planning Commission Hearing**

The planning commission considered the request on December 17, 2015. The staff report from that meeting is attached and various plans and documents describing the proposed project may be found on pages A1–A33. Staff recommended approval of the request noting:

- The proposed land uses are appropriate.
- The proposed site and building design are reasonable.
- The proposed amount of parking would meet parking demand.
- The proposed wall signs are acceptable given the size and massing of the building and the size of the proposed signs relative to other hotel signs in the community.

At the meeting, a public hearing was opened to take comment. No comments were received. Following the public hearing, the commission asked general questions about extended-stay hotels.
Planning Commission Recommendation

On a 7-0 vote, the commission recommended that the city council approve the proposal as presented. (See pages A62-A64)

Since Planning Commission Hearing

There have been no changes to the proposal or additional information received.

Staff Recommendation

Adopt the following pertaining to 6030 Clearwater Drive:

1. Ordinance approving a major amendment to the existing Minnetonka Corporate Center master development plan (see pages A40-A42);
2. Resolution approving preliminary and final plats (see pages A43-A45);
3. Resolution approving a conditional use permit for the hotel (see pages A46-A48);
4. Resolution approving final site plan for the overall site and final building plans for the proposed hotel (see pages A49-A58); and.
5. Resolution approving an amendment to the Minnetonka Corporate Center sign plan. (see pages A59-A61)

Through: Geralyn Barone, City Manager
         Julie Wischnack, AICP, Community Development Director

Originator: Susan Thomas, AICP, Principal Planner
Items concerning a hotel and day care on the property at 6030 Clearwater Drive:

1) Major amendment to the existing Minnetonka Corporate Center master development plan;

2) Preliminary and final plats;

3) Conditional use permit;

4) Site and building plan review; and

5) Sign plan amendment.

Recommend the city council adopt the ordinance and resolutions approving the proposal.

Introduction

Buhl Investors Minnetonka I, LLC Development is proposing to develop the six-acre property at 6030 Clearwater Drive. As proposed, an extended-stay hotel would be constructed on the west half of the site in the near term. A day care facility would be constructed on the east half of the site at some point in the future. (See pages A1–A21.)

Proposal Summary

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

- **Existing Site Conditions.**

  The subject property is located on the west side of Clearwater Drive, adjacent to Interstate 494. The high points of the site are two knolls located in the southwest and southeast corners of the property. From these areas, the property slopes 25 feet downward toward a large stormwater pond in the northeast corner of the property. The property includes 22 high priority trees and a 93-stall “overflow” parking lot serving the adjacent property to the north. (See page A20.)

- **Planned Unit Development**

  The property is located within the Minnetonka Corporate Center and is subject to the Minnetonka Corporate Center master development plan. The plan was
approved in 1983 and originally envisioned a business park containing 15 development sites. A nine-story, 200-room hotel was envisioned for Site 14, which is the subject property. (See page A23.)

Since its approval, the Minnetonka Corporate Center master development plan has been amended on several occasions. The amendments of particular importance for the current proposal involved Sites 13, 14, and 15. One amendment added “overflow” parking for Site 13 on to Site 14. Other amendments relocated and ultimately removed the hotel use from the master plan.

<table>
<thead>
<tr>
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<th>SITE 13</th>
<th>SITE 14*</th>
<th>SITE 15</th>
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<tr>
<td>1983 Original</td>
<td>Office 4-stories 89,000 SF</td>
<td>Hotel 9 stories 200 rooms</td>
<td>Office 10 stories 230,000 SF</td>
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<td>Office 4-stories 89,000 SF</td>
<td>Office 10 stories 230,000 SF</td>
<td>Hotel 3 stories 175 rooms</td>
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<td>1993 Amendment</td>
<td>Office 4-stories 89,000 SF</td>
<td>Office 10 stories 230,000 SF</td>
<td>Clinic 1-2 stories 41,000 SF</td>
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<tr>
<td>1995 Amendment</td>
<td>Office 4-stories 89,000 SF</td>
<td>Parking lot for Site 13 &amp; Office 10 stories 230,000 SF</td>
<td>Clinic 1-2 stories 41,000 SF</td>
</tr>
</tbody>
</table>

*Subject Property

- **Proposed Uses.**

The applicant is proposing to develop Site 14. In the near term a 102-unit, Home2 hotel would be constructed on the west side of the site. The five-story hotel would have a footprint of just over 15,000 square feet and total area of roughly 66,000 gross square feet. Indoor amenities would include a fitness center, pool, and large gathering spaces. Outdoor amenities would include outdoor seating areas, bike racks, and a connection to the existing sidewalk system in the Minnetonka Corporate Center. A future day care facility is envisioned for the east side of the site. The submitted plans suggest a two-story, 21,650 square foot building.

The hotel and site would be served by a total of 188 surface parking stalls; 67 hotel stalls, 44 day care stalls, and 77 existing “overflow” parking stalls. An additional nine parking stalls are shown as “proof-of-parking.” Access to the site would be via drives on both the north and south sides of the property. (See page A4.)

- **Site impacts.**

Construction of the proposed buildings and parking lots would require significant excavation. This grading – to essentially remove the existing knolls and make the
site level – would result in removal of, or significant impact to, 23% of the sites high-priority trees.

- **Approvals.**

  To accommodate the near term and future development of the property, the applicant is currently requesting: (1) an amendment to the existing master development plan to generally allow the proposed hotel and day care uses; (2) approval of preliminary and final plats to allow for separate ownership of the separate uses; (3) a conditional use permit for the hotel; (4) site plan review for both the hotel and day care, to allow for site preparation for both uses; (5) building plan review for the hotel; and (6) an amendment to the existing Minnetonka Corporate Center sign plan. A conditional use permit application and building plan review for the day care would be submitted in the future at such time that a specific day care provider/owner is identified.

**Primary Questions and Analysis**

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

- **Are the proposed land uses appropriate?**

  Yes. Minnetonka Corporate Center is a business park occupied by a variety of office and light manufacturing uses. The proposed hotel and day care would complement these uses. The hotel would provide an attractive accommodation option for business travelers. Staff anticipates that the day care would similarly provide an attractive option for parents and guardians employed in the immediate area.

- **Is the proposed site and building design reasonable?**

  Yes. The proposed site design is intuitive, and makes good use of the undeveloped areas of the site. Appropriate circulation patterns would be established for vehicular traffic. In addition, sidewalk connections are proposed from both the hotel and future day care to the sidewalk adjacent to Clearwater Drive. This existing sidewalk connects to the trail on Bren Road, and ultimately to the regional trail. (See page A4.)

  The proposed building design would feature an exterior insulation and finishing system (EIFS) façade, with metal panel and stone accents. While this façade design is unlike others in the business park, there is not one predominate design in the area. Rather, the park contains buildings with almost entirely glass facades, almost entirely brick facades, facades of a combination of brick and EIFS, and
others facades constructed of entirely concrete panels. Given this existing variety, the proposed building design is reasonable. (See pages A19 and A24.)

- **Is the amount of proposed parking appropriate?**

Yes. Generally, planning staff advocates for shared parking and a balance between actual parking demand and the number of constructed parking stalls. To this end, the city commissioned a traffic and parking study to evaluate the applicant’s proposal. The purpose of the parking portion of study was to review the parking demand of the proposed development and determine if that demand could, in part, be met by the “overflow” parking lot already existing on the site.

The study concluded:

1. The “overflow” parking lot is not necessary to meet the parking demand of the adjacent office building. The office building is served by 432 on-site parking stalls and 93 “overflow” stalls. Under city code and the Institute of Transportation Engineers (ITE) guidelines, parking demand for the fully-occupied office building could be met by the 432 on-site parking stalls. The total number of stalls provided on site and in the “overflow” lot far exceed anticipated parking demand.

<table>
<thead>
<tr>
<th></th>
<th>Constructed</th>
<th>Required by Code</th>
<th>Suggested by ITE</th>
</tr>
</thead>
<tbody>
<tr>
<td>On-Site Stalls</td>
<td>432</td>
<td>400</td>
<td>345</td>
</tr>
<tr>
<td>“Overflow” Stalls</td>
<td>93</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>Total</td>
<td>525</td>
<td>400</td>
<td>345</td>
</tr>
</tbody>
</table>

2. A total of 150 parking stalls would be required to meet the demand of the proposed hotel and day care. If stalls within the “overflow” parking lot were shared with the hotel use, parking demand could be met.

<table>
<thead>
<tr>
<th></th>
<th>Proposed</th>
<th>Required to Meet Demand</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hotel</td>
<td>76*</td>
<td>110</td>
</tr>
<tr>
<td>Day Care</td>
<td>44</td>
<td>40</td>
</tr>
<tr>
<td><strong>TOTAL Stalls</strong></td>
<td><strong>120</strong></td>
<td><strong>150</strong></td>
</tr>
</tbody>
</table>

From staff's perspective, shared use of the “overflow” parking lot is appropriate and reasonable for two reasons:
1. The “overflow” parking lot is not necessary to meet the city code and ITE anticipated parking demand of the office building. If the stalls in the lot are reserved for the office building only and are unused, they simply represent unnecessary impervious surface on the site.

2. The applicant could construct the demand-required 150 parking stall on the site outside of the “overflow” lot, but this would result in more tree loss, more impervious surface, and more required stormwater treatment.

Unfortunately, a private easement and covenants cover the “overflow” parking lot and dictate how it may be used. Essentially, under these private agreements, the lot may be reconfigured – as is proposed – but a certain number of spaces must be maintained for the sole use of the office building property. Nevertheless, as a condition of approval staff suggests that the applicant provide evidence that they have the right to share a minimum of 30 parking stalls in the “overflow” lot. This minimum amount of shared parking would ensure the parking demand of the hotel and future day care are met.

- Are the proposed signs reasonable?

The Minnetonka Corporate Center sign plan was approved in 1983. Under the plan, the building on Site 14 is allowed two wall signs with a maximum letter height of 36 inches. This regulation reflects the city’s sign ordinance for hotels. However, the ordinance for hotel signs also specifically notes: (1) “because of the need for high visibility and the variety in size and shape of hotel structures, variances will be considered but not necessarily granted”; and (2) “variances may be considered for letter height based on the proportional relationship to the mass and height of the building.” (City Code §300.30 Subd. 5c)

The applicant proposes to install signs on the southwest, southeast, and northeast façades. These signs would exceed both the maximums outlined in the existing sign plan and the sign ordinance. However, in researching the sign information for the four existing hotels in Minnetonka, staff found that none would meet the Minnetonka Corporate Center sign plan or current sign ordinance.

<table>
<thead>
<tr>
<th></th>
<th>Stories</th>
<th>Letter Height</th>
<th>Sq.Ft. per sign</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hampton Inn</td>
<td>5</td>
<td>5.5 (stacked)</td>
<td>77 sq.ft.</td>
</tr>
<tr>
<td>Holiday Inn</td>
<td>4</td>
<td>10 ft</td>
<td>180 sq.ft.</td>
</tr>
<tr>
<td>Marriott</td>
<td>16</td>
<td>6 ft</td>
<td>186 sq.ft.</td>
</tr>
<tr>
<td>Sheraton</td>
<td>4</td>
<td>6 ft</td>
<td>228 sq.ft.</td>
</tr>
<tr>
<td>Home2</td>
<td>5</td>
<td>7 to 12 ft (SW and SE)</td>
<td>175 sq.ft.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>4 to 7 ft (NE)</td>
<td>63 sq.ft.</td>
</tr>
</tbody>
</table>

Staff finds that the signs proposed by the applicant are reasonable for several reasons:
• While “taller” than signs at other hotels in the community, the individual signs would have less total area than other individual signs;

• The proposed hotel would have some level of visibility from I-494, Highway 62, and Clearwater Drive; and

• The proposed signs would be proportionally sized to the mass and height of the proposed building.

Summary Comments

The proposed hotel and day care uses would complement the existing uses in the Minnetonka Corporate Center. Further, in developing the last vacant site in the area, the applicant’s proposal represents completion of the business park – 30 years after its original approval. Staff supports and recommends approval of the proposal.

Staff Recommendation

Recommend the city council adopt the following pertaining to 6030 Clearwater Drive:

1. Ordinance approving a major amendment to the existing Minnetonka Corporate Center master development plan (see pages A40-A42);

2. Resolution approving preliminary and final plats (see pages A43-A45);

3. Resolution approving a conditional use permit for the hotel (see pages A46-A48);

4. Resolution approving final site plan for the overall site and final building plans for the proposed hotel (see pages A49-A58); and.

5. Resolution approving an amendment to the Minnetonka Corporate Center sign plan. (see pages A59-A60)

Originator: Susan Thomas, AICP, Principal Planner
Supporting Information

Surrounding Land Uses
Northerly: vacant office building; zoned PUD
Easterly: GE Osmonics; zoned I-1
Southerly: medical office building; zoned PUD
Westerly: Interstate 494

Planning
Guide Plan designation: Mixed use
Existing Zoning: PUD

Introduction
The proposal was introduced to the city council on November 11, 2015. The few comments the council had pertained to appearance and maintenance of the existing stormwater pond. (See page A38.)

City Actions
The proposal necessitates the following applications:

- **Master Development Plan Amendment.** By city code, development that does not comply with a condition of a master development plan is allowed only by a major amendment to that plan. Though the original master development plan envisioned a hotel on the subject property, the most recent iteration of the plan calls for construction of a ten-story office building. A day care was never contemplated for the site.

- **Preliminary and Final Plat.** The applicant is proposing to divide the subject property to allow for separate ownership of the hotel and day care sites.

- **Conditional Use Permit.** Both hotels and day cares are conditionally-permitted uses in commercial PUDs. At this time the applicant is requesting approval of a CUP for the hotel only. A CUP request would for the day care would be submitted by a specific day care provider sometime in the future.

- **Site and Building Plan Review.** By city code, site and building plan review is required in conjunction with construction in a PUD. At this time, the applicant is requesting site plan review and approval of the entirety of the site and building plan approval for the hotel only. A further request for site and building plan review for the day care would be submitted by a specific day care provider sometime in the future.
• **Sign Plan Amendment.** Signs within the Minnetonka Corporate Center are regulated by a sign covenant approved in 1983. The applicant is requesting an amendment to this plan to allow for wall signs of greater number and size than allowed under the plan.

**Grading**

To accommodate the proposed development, significant excavation would occur. Between two and ten feet of cut would remove the existing knolls and make the site level. Even with this grading, the proposed southerly parking lots would still sit ten feet above the existing “overflow” parking lot.

**Stormwater**

Runoff from the developed site would be direct to one of two proposed infiltration basins. The easterly of these basins would outlet to the large stormwater pond already existing in the northeast corner of the site. As a condition of approval, a final stormwater management plan and specifications must be submitted prior to issuance of a grading permit. The plans must meet the standards of the city’s Water Resources Management Plan, incorporating rate control, volume control, and water quality treatment.

**Trees**

The property is subject to the regulations of the tree protection ordinance. Due to the proposed subdivision of the site, removal of/impact to high priority trees is limited to 35%. Based on the submitted plans, the proposal would result in removal or significant impact to 23% of the site’s high priority trees.

<table>
<thead>
<tr>
<th></th>
<th>Existing</th>
<th>Removed/Impacted</th>
<th>% Removed</th>
</tr>
</thead>
<tbody>
<tr>
<td>High Priority</td>
<td>22</td>
<td>5</td>
<td>23%</td>
</tr>
<tr>
<td>Significant</td>
<td>121</td>
<td>87</td>
<td>72%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>143</td>
<td>92</td>
<td>64%</td>
</tr>
</tbody>
</table>

**Utilities**

Public water, sanitary, and storm sewer facilities are available to the site from Clearwater Drive. The applicant is proposing to connect water and sanitary sewer services to existing private lines on the adjacent property to the south. While the city would allow such connection, as a condition of approval the applicant must provide an easement or agreement that would allow for such connections.

**Traffic**

The city commissioned a traffic study to understand:

1. Anticipated vehicle trip generation associated with the proposed uses; and
2. Existing and anticipated intersection operations.

In evaluating these items, the city’s traffic engineering consultants drew on general engineering principles, as well as specific observations of the existing site. (See pages A25–A37.) The study concluded:

1. The proposal is anticipated to generate 174 p.m. peak hour trips and 1,300 daily trips.

2. Existing intersections operated at Level of Services (LOS) A. This LOS A would be maintained after development of the hotel and day care.

Building Design

The proposed five-story building would have a code-defined height of 65 feet to the highest point of the parapet wall.

The building façade would be primarily EIFS, with metal panel and stone accents. As a condition of approval the area under the proposed southeasterly wall sign must receive a façade treatment similar to the treatment under the southwesterly and northeasterly wall signs. (See page A19.)

CUP Standards

By City Code §300.21 Subd.2 and Subd.3(h), hotels must meet both general and specific conditional use permit standards. The proposed hotel would meet these standards.

General Standards:

1. The use is consistent with the intent of this ordinance;

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

3. The use does not have an undue adverse impact on governmental facilities, utilities, services or existing or proposed improvements;

4. The use is consistent with the city’s water resources management plan;

5. The use is in compliance with the performance standards specified in section 300.28 of this ordinance; and

6. The use does not have an undue adverse impact on the public health, safety or welfare.
Specific Standards:

1. Shall not be located adjacent to any low density residential parcels as identified in the comprehensive plan;

   Finding: The proposed hotel would be surrounded by office and services uses. It would be located over one-third mile from the closest low-density residential area.

2. Shall be developed to serve primarily the office district in which the use is located; and

   Finding. The proposed hotel is anticipated to serve travelers to the various businesses in and around the Minnetonka Corporate Center.

3. Shall only be permitted when it can be demonstrated that operation will not significantly lower the existing level of service as defined by the institute of traffic engineers on streets and intersections.

   Finding. This condition is met. See the “Traffic” section of this report.

SBP Standards

By City Code §300.27 Subd.5, in evaluating a site and building plan, the planning commission and city council shall consider its compliance with certain standards. The proposed hotel and future day care site would meet these standards.

1. Consistency with the elements and objectives of the city's development guides, including the comprehensive plan and water resources management plan;

   Finding: The proposal has been reviewed by city planning, engineering, natural resources, public works, fire, and legal staff and found to be generally consistent with the city's development guides.

2. Consistency with this ordinance;

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

3. Preservation of the site in its natural state to the extent practicable by minimizing tree and soil removal and designing
grade changes to be in keeping with the general appearance of neighboring developed or developing areas;

**Finding:** The proposal would result in significant grading. However, the level of grading and resulting tree impact would be anticipated with any development consistent with the previously approved master development plan for the site and with other existing development on adjacent and surrounding properties.

4. Creation of a harmonious relationship of buildings and open spaces with natural site features and with existing and future buildings having a visual relationship to the development;

**Finding:** The proposed site design is intuitive, and would result in appropriate location of buildings, parking areas, and open spaces relative to existing buildings, parking areas, and open spaces.

5. Creation of a functional and harmonious design for structures and site features, with special attention to the following:
   
   a) An internal sense of order for the buildings and uses on the site and provision of a desirable environment for occupants, visitors and the general community;

   b) The amount and location of open space and landscaping;

   c) Materials, textures, colors and details of construction as an expression of the design concept and the compatibility of the same with the adjacent and neighboring structures and uses; and

   d) Vehicular and pedestrian circulation, including walkways, interior drives and parking in terms of location and number of access points to the public streets, width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic and arrangement and amount of parking.

**Finding.** The proposed site design is intuitive, with appropriate circulation patterns established for vehicular traffic. In addition, sidewalk connections are proposed from both the hotel and future day care to the sidewalk adjacent to Clearwater Drive. This existing sidewalk connects to the trail on Bren Road, and ultimately to the regional trail. (See pages A4.)
The proposed building design would feature EIFS, with metal panel and stone accents. While this façade is unlike others in the Minnetonka Corporate Center, there is not one predominate design in the business park. The variety of buildings include buildings of almost entirely glass facades, almost entirely brick facades, facades of a combination of brick and EIFS, and others of entirely concrete panels. Given this variety, the proposed building would not detract from any existing design expression.

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

**Finding:** As new construction, the proposed hotel would meet all current building code standards including those pertaining to energy conservation.

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

**Finding:** The proposal would not negatively impact adjacent or neighboring properties. In fact, staff anticipates the proposal would complement the existing uses of these properties.

**Motion Options**

The planning commission has four options:

1. Concur with the staff recommendation. In this case a motion should be made recommending the city council adopt the ordinance and resolutions.

2. Disagree with staff’s recommendation. In this case, a motion should be made recommending the city council deny the requested master development plan amendment, final site and building plans, conditional use permit, sign plan amendments and plat requests. This motion must include a statement as to why denial is recommended.

3. Concur with some of staff’s recommendations and disagree with the others. In this case a motion should be made recommending approval of the some and denial of the
others. This motion must include a statement as to why denial is recommended.

4. Table the requests. 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 27 area property owners and received no responses to date.

**Deadline for Action**
February 8, 2016
Location Map

Project: Home2
Applicant: Buhl Investors Minnetonka I LLC
Address: 6030 Clearwater Dr
(15033.15a)

This map is for illustrative purposes only.
Owner Statement for Request for C.U.P. for 6030 Clearwater Drive, Minnetonka MN

Applicant: Buhl Investors Minnetonka I, LLC Development

Proposed Uses: Owner is requesting that a 102-unit five story franchised hotel property be permitted to be built on the subject property together with a 2-story daycare facility consisting of approximately 10,781 square feet.

The Property will be split into two separate Lots as shown on the site plan. There will be an Operation, Easement and Access Agreement recorded against both properties to address the shared access drive, any necessary utility and drainage easements and cross access for pedestrians and cross-parking.

The hotel use and daycare facility are complimentary uses to each other in that the primary high-peak for the hotel is in the evenings and the primary for the day care is morning drop-off and after school pick-up. These uses we believe are also complimentary to the overall development in the park providing lodging and daycare needs to the office park.

The Property is subject to the Planned Unit Development Agreement dated March 16, 1984 where the City approved by council action on July 18, 1983 a mixed use development of office and a hotel. The use of a hotel is consistent with the terms of the P.U.D. and Master Development Plan that the City approved for this development. The hotel was contemplated on a different lot location but the development contemplated a 150,000 square foot hotel. The daycare was not included in the original P.U.D. so we are requesting that it be permitted and think that it is a complimentary use to the development that has occurred in this office park and the surrounding community.
REQUIRED PARKING STALLS:
- Hotel=106
- Daycare=14

PROPOSED PARKING STALLS:
- Hotel=67 (5 accessible)
- Daycare=14 (2 accessible)
- Proof of Parking

EXISTING PARKING STALLS=77
1. MITIGATION OF PROTECTED TREES TO BE REMOVED IS NOT REQUIRED. ALL REMOVED TREES LIE WITHIN THE "BASIC TREE REMOVAL AREA" AS DEFINED IN MINNETONKA CITY CODE SECTION 300.28, REGULATING TREE PROTECTION.

2. SEE L001 FOR TREE PROTECTION & REMOVAL PLAN.

3. SEE L100 FOR PLANTING PLAN.
1. MITIGATION OF PROTECTED TREES TO BE REMOVED IS NOT REQUIRED. ALL REMOVED TREES LIE WITHIN THE "BASIC TREE REMOVAL AREA" AS DEFINED IN MINNETONKA CITY CODE SECTION 300.28, SUBDIVISION 19, REGULATING TREE PROTECTION.

2. PROVIDE CONSTRUCTION FENCING AROUND CRITICAL ROOT ZONE OF ALL TREES TO BE PROTECTED.

3. SEE L000 FOR TREE INVENTORY PLAN.

4. SEE L100 FOR PLANTING PLAN.

**KEY**

| PROTECTED TREE - AREA OF CRITICAL ROOT ZONE |
| PROTECTED TREE TO BE REMOVED |
**NOTES**

1. SEE L000 FOR PLANTING NOTES & DETAILS.

2. SEE L000 FOR TREE INVENTORY PLAN.

3. SEE L000 FOR TREE PROTECTION & REMOVAL PLAN.
PLANTING NOTES

1. ALL PROPOSED PLANTS SHALL BE STAKED AS SHOWN ON THE DRAWING. LANDSCAPE ARCHITECT TO APPROVE STAKING LOCATIONS OF PLANT MATERIAL (EXCEPT FOR TREE PLANTING). LANDSCAPE ARCHITECT SHALL BE NOTIFIED AT LEAST 48 HOURS IN ADVANCE OF THE DELIVERY DATE FOR ALL PLANT MATERIALS.

2. EXISTING TREES INDICATED ON PLAN TO REMAIN. PROTECT FROM DAMAGING DURING CONSTRUCTION. ALL TREES STORED ON WORK SITE TO REMAIN UNLESS DAMAGED OR DISAPPEARED. NOTIFY LANDSCAPE ARCHITECT OF ANY ADDITIONAL TREES REQUIRED REMOVAL. SEE ARCH. FOR LANDSCAPE DEMO AND TREE REMOVAL.

3. ALL DISTURBED AREAS SHALL BE STABILIZED TO TOPSOIL OR OTHERWISE SPECIFIED.

4. ALL PLANT MATERIAL SHALL BE WARRANTED BY THE CONTRACTOR FOR A PERIOD OF ONE YEAR OR FOR THE OWNER’S WRITTEN ACCEPTANCE, WHICHEVER OCCURS FIRST. ANY CLAIMS OR DEMANDS WHICH MIGHT OCCUR PRIOR TO THE OWNER’S WRITTEN ACCEPTANCE SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.

5. LANDSCAPE ARCHITECT MUST APPROVE THE DECOMPACTED SOIL CONDITIONS PRIOR TO INSTALLATION. LANDSCAPE ARCHITECT TO APPROVE ALL PLANTING SOIL MIXTURES.

6. PROVIDE 4 INCHES OF TOPSOIL FOR ALL TURF AREAS AND 6 INCHES OF TOPSOIL FOR ALL PLANTS. LANDSCAPE ARCHITECT TO APPROVE ALL SOIL Mixtures prior to installation.

7. ALL PLANT MATERIAL SHALL BE CLEARLY IDENTIFIED (COMMON OR LATIN NOMENCLATURE) WITH A PLASTIC TAG PROVIDED BY NURSERY OR PLANT SOURCE WHICH SHALL NOT BE REMOVED PRIOR TO THE LANDSCAPE ARCHITECT’S APPROVAL.

8. ALL PLANTING BEDS TO RECEIVE UNCOLORED 3 INCH SHREDDED HARDWOOD BARK MULCH PRIOR TO INSTALLATION.

9. AVOID SUNK 설명/NOTE AREAS, PLANT MATERIAL WILL BE INSPECTED. ANY TREE PLANTED TOO DEEPLY OR WITH FLARE BURIED WILL BE REJECTED.

10. ALL PLANT MATERIAL SHALL BE WARRANTED BY THE CONTRACTOR FOR A PERIOD OF ONE YEAR OR FOR THE OWNER’S WRITTEN ACCEPTANCE, WHICHEVER OCCURS FIRST. ANY CLAIMS OR DEMANDS WHICH MIGHT OCCUR PRIOR TO THE OWNER’S WRITTEN ACCEPTANCE SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.

11. ADJUSTMENT IN LOCATION OF PROPOSED PLANT MATERIAL MAY BE MADE IN THE FIELD. SHOULDER AN ADJUSTMENT BE ADVISED, THE LANDSCAPE ARCHITECT MAY BE NOTIFIED PRIOR TO ADJUSTMENT.

12. ALL PLANT MATERIAL SHALL BE PLANTED UNTIL THE TURFS ARE PLANTED AND WATERED IN THE MANUFACTURER’S RECOMMENDED MANNER. CONTRACTOR MUST SUBMIT TESTING RESULTS FOR REVIEW PRIOR TO APPROVAL.

13. ALL PLANTING BEDS TO RECEIVE UNCOLORED 3 INCH SHREDDED HARDWOOD BARK MULCH PRIOR TO INSTALLATION.

14. ALL PLANT MATERIAL SHALL BE WARRANTED BY THE CONTRACTOR FOR A PERIOD OF ONE YEAR OR FOR THE OWNER’S WRITTEN ACCEPTANCE, WHICHEVER OCCURS FIRST. ANY CLAIMS OR DEMANDS WHICH MIGHT OCCUR PRIOR TO THE OWNER’S WRITTEN ACCEPTANCE SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.

15. ALL PLANT MATERIAL SHALL BE FERTILIZED UPON INSTALLATION WITH DRIED BONE MEAL OR OTHER FERTILIZER AS INDICATED MIXED IN WITH THE PLANTING SOIL PER MANUFACTURER’S INSTRUCTIONS.

16. MMH A SET OF Tips FROM THE GROUND TO THE FIRST BRANCH FOR DECIDUOUS TREES OR TO THE TIP FOR EVERGREEN TREES. TREES CHANGING FOR USE WITHIN THE DESIGN. TREE PLANTING HOLE TO BE 2' LARGER IN DIAMETER THAN THE ROOTBALL. TRIM ALL TWINE, WIRE WITHIN 12" OF TOP OF ROOTBALL AND WATER.

17. ALL PLANT MATERIAL, SUBSTITUTIONS WILL BE ACCEPTED UNLESS EXPRESSLY PROHIBITED OR xo CONTRACTOR PRIOR TO SUBMISSION OF A BID AND/OR STAKING LOCATIONS OF PLANT MATERIAL (EXCEPT FOR TREE PLANTING).

18. CONTRACTOR SHALL PROVIDE A WRITTEN REQUEST FOR THE OWNER’S WRITTEN ACCEPTANCE, INSPECTION TO BE COMPLETED FROM COMPLETION OF ALL PLANTING WORK.
COPING SYSTEM

A110
3
1

ROOF DRAIN

12'-0"

PG SD.

A15
3.8
7
13
6
RD

OD

11.8
10

SCALE: 3" = 1'-0"

A301
2

BY HATCH SUPPLIER

ROOF HATCH SAFETY RAIL

42"

A303

ROOF DRAIN

OVERFLOW

42"

A305

GRADE URETHANE

USE ADDITIONAL WATERBLOCK FOR LARGER DRAINS.

1. HOLE IN MEMBRANE SHOULD EXTEND A MINIMUM OF 1/2"

2. INSULATION ADJACENT TO DRAIN TO BE APPROPRIATE

BEYOND CLAMPING RING AND SHOULD NOT BE SMALLER

THAN THE DIAMETER OF THE LEADER PIPE.

3. WATERBLOCK MIN. OF 1/2 OF 10 OZ TUBE PER 4" DRAIN.

INSULATION WITH APPROPRIATE BONDING SURFACE.

A. MAXIMUM SLOPE FOR MAX MEMBRANE SHALL BE 2" / 12".

B. IF FIELD SEAM EDGE IS WITHIN 9" TO 18" OF DRAIN
RING, EPDM TARGET PATCH REQUIRED.

SUMP AREA FIELD SEAM REQUIREMENTS:

SEE NOTES

1/2" MIN. -

COMPRESSION RING

WATER DAM

BEAD (TYP., SEE NOTES)

SEE NOTES

12"

COMPRESSION

STRAINER BASKET

SEE NOTES

42"

SEE NOTES

a.f.f.

a.f.f.

a.f.f.

a.f.f.

a.f.f.

a.f.f.

a.f.f.

a.f.f.

a.f.f.

a.f.f.

a.f.f.

a.f.f.

a.f.f.

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STAFF DRAFTED ATTACHMENTS

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MINNETONKA CORPORATE CENTER
MASTER DEVELOPMENT PLAN

Site Development Concept Plan

Statistics:
- Total Building Area: 1,228,103 sf
- Building No. & Type:
  1. Office/Service Center: 35,306 sf
  2. Office/Service Center: 55,247 sf
  3. Office/Service Center: 26,550 sf
  4. Office/Service Center: 65,000 sf
  5. Office/Service Center: 53,000 sf
  6. Office/Service Center: 75,000 sf
  7. Office/Service Center: 40,000 sf
  8. Office/Service Center: 26,000 sf

Building No. & Type:
- Area:
  - Building 1: 35,306 sf
  - Building 2: 55,247 sf
  - Building 3: 26,550 sf
  - Building 4: 65,000 sf
  - Building 5: 53,000 sf
  - Building 6: 75,000 sf
  - Building 7: 40,000 sf
  - Building 8: 26,000 sf

- Parking: 4,004

ORIGINAL

MINNETONKA CORPORATE CENTER
MASTER DEVELOPMENT PLAN

6030 Clearwater Drive
16833.15a
Memorandum
SRF No. 0159079

To: Susan Thomas, AICP, Principal Planner  
   City of Minnetonka
From: Matt Pacyna, PE, Senior Associate  
   Tom Sachi, EIT, Engineer
Date: December 8, 2015
Subject: 6030 Clearwater Drive Traffic and Parking Study

Introduction
SRF has completed a traffic study for the proposed extended stay hotel and daycare development located near the northwest quadrant of the Trunk Highway 62 (TH 62)/Clearwater Drive intersection in Minnetonka, MN (see Figure 1: Project Location). The main objectives of this study are to review existing operations within the study area, evaluate traffic and parking impacts including the proposed access and circulation, and recommend any necessary improvements to accommodate the proposed development. The following information provides the assumptions, analysis, and recommendations offered for consideration.

Existing Conditions
The existing conditions were reviewed to establish a baseline in order to identify any future impacts associated with the proposed development. The evaluation of existing conditions includes intersection turning movement counts, field observations, and an intersection capacity analysis.

Data Collection
Peak hour turning movement counts were collected at the Clearwater Drive and Medical Office Building intersection by SRF during the week of November 16, 2015. Observations were also completed during that time to identify roadway characteristics and parking utilization within the study area (i.e. roadway geometry, posted speed limits, and traffic controls). Average daily traffic volumes were provided by the Minnesota Department of Transportation.

Clearwater Drive is primarily a four-lane roadway immediately adjacent to the proposed development with a posted speed limit of 30 miles per hour. The study intersection is side-street stop controlled. Existing geometrics, traffic controls, and volumes in the study area are shown in Figure 2.
Existing Conditions
6030 Clearwater Drive Traffic and Parking Study
City of Minnetonka, MN

Figure 2
6030 Clearwater Drive
15033.15a
Intersection Capacity Analysis

An existing intersection capacity analysis was completed for the a.m. and p.m. peak hours to establish a baseline condition to which future traffic operations can be compared. The study intersections were analyzed using Synchro/SimTraffic (V8).

Capacity analysis results identify a Level of Service (LOS), which indicates the quality of traffic flow through an intersection. Intersections are given a ranking from LOS A through LOS F. The LOS results are based on average delay per vehicle, which correspond to the delay threshold values shown in Table 1. LOS A indicates the best traffic operation, with vehicles experiencing minimal delays. LOS F indicates an intersection where demand exceeds capacity, or a breakdown of traffic flow. Overall intersection LOS A through LOS D is generally considered acceptable in the Twin Cities Metro Area.

<table>
<thead>
<tr>
<th>LOS Designation</th>
<th>Signalized Intersection Average Delay/Vehicle (seconds)</th>
<th>Unsignalized Intersection Average Delay/Vehicle (seconds)</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>≤ 10</td>
<td>≤ 10</td>
</tr>
<tr>
<td>B</td>
<td>&gt; 10 - 20</td>
<td>&gt; 10 - 15</td>
</tr>
<tr>
<td>C</td>
<td>&gt; 20 - 35</td>
<td>&gt; 15 - 25</td>
</tr>
<tr>
<td>D</td>
<td>&gt; 35 - 55</td>
<td>&gt; 25 - 35</td>
</tr>
<tr>
<td>E</td>
<td>&gt; 55 - 80</td>
<td>&gt; 35 - 50</td>
</tr>
<tr>
<td>F</td>
<td>&gt; 80</td>
<td>&gt; 50</td>
</tr>
</tbody>
</table>

For side-street stop controlled intersections, special emphasis is given to providing an estimate for the level of service of the side-street approach. Traffic operations at an unsignalized intersection with side-street stop control can be described in two ways. First, consideration is given to the overall intersection level of service. This takes into account the total number of vehicles entering the intersection and the capability of the intersection to support these volumes.

Second, it is important to consider the delay on the minor approach. Since the mainline does not have to stop, the majority of delay is attributed to the side-street approaches. It is typical of intersections with higher mainline traffic volumes to experience high levels of delay (i.e. poor levels of service) on the side-street approaches, but an acceptable overall intersection level of service during peak hour conditions.

Results of the existing intersection capacity analysis shown in Table 2 indicate that the study intersection currently operates at an acceptable overall LOS A during the a.m. and p.m. peak hours with the existing geometric layout and traffic control. No significant delay or queuing issues were identified.
### Proposed Development

The proposed development, shown in Figure 3, is located in the northwest quadrant of the Clearwater Drive/Medical Office Building intersection. The proposed development is expected to include an extended stay hotel (102 rooms) and a daycare facility (approximately 10,800 square feet). For purposes of this study, the proposed development was assumed to be fully operational by the year 2017. Access to the proposed development is proposed along the existing driveway to the Medical Office Building. Access will also be available through the adjacent office parking lot to the north. A total of 111 parking spaces are proposed (67 for the hotel, 44 for the daycare).

### Year 2017 Conditions

To identify potential impacts associated with the proposed development, traffic forecasts for year 2017 conditions were reviewed. The year 2017 conditions take into account general area background growth and traffic generated by the proposed development. The following sections provide details on the background traffic forecasts, estimated trip generation, and intersection capacity analysis for year 2017 conditions.

#### Background Traffic Growth

To account for general background growth in the area, an annual growth rate of one-half percent was applied to the existing peak hour traffic volumes to develop year 2017 background traffic forecasts. This growth rate is considered a conservative estimate since there has been negative growth in the area since 2005. It should be noted that the adjacent office development to the north is currently vacant. No change in this use was assumed to help identify potential impacts of the proposed development.

#### Trip Generation

To account for traffic impacts associated with the proposed development, a trip generation estimate for the a.m. and p.m. peak hours and on a daily basis was developed. This trip generation estimate, shown in Table 3, was developed using the *ITE Trip Generation Manual, Ninth Edition*. Results of the trip generation estimate indicate the proposed development is expected to generate a total of approximately 170 a.m. peak hour, 174 p.m. peak hour and 1,300 daily trips.
REQUIRED PARKING STALLS:
- HOTEL=106
- DAYCARE=44

PROPOSED PARKING STALLS:
- HOTEL=87 (5 ACCESSIBLE)
- DAYCARE=44 (2 ACCESSIBLE)
- PROOF OF PARKING=9

EXISTING PARKING STALLS=77
Table 3 Trip Generation Estimate

<table>
<thead>
<tr>
<th>Land Use Type (ITE Code)</th>
<th>Size</th>
<th>A.M. Peak Hour Trips</th>
<th>P.M. Peak Hour Trips</th>
<th>Daily Trips</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>In</td>
<td>Out</td>
<td>In</td>
</tr>
<tr>
<td>All Suites Hotel (311)</td>
<td>102 Rooms</td>
<td>21</td>
<td>17</td>
<td>18</td>
</tr>
<tr>
<td>Daycare Center (565)</td>
<td>10,800 SF</td>
<td>70</td>
<td>62</td>
<td>63</td>
</tr>
<tr>
<td>Total New Roadway Network Trips</td>
<td>91</td>
<td>79</td>
<td>81</td>
<td>93</td>
</tr>
</tbody>
</table>

Trips generated by the proposed development were distributed throughout the study area based on the directional distribution shown in Figure 4, which was developed based on existing travel patterns and engineering judgment. It should be noted that all development traffic was assumed to use the Medical Office Building access to Clearwater Drive. The resultant year 2017 traffic forecasts, which include general background growth and trips generated by the proposed development, are shown in Figure 5.

Year 2017 Intersection Capacity Analysis

To determine if the existing roadway network can accommodate the year 2017 traffic forecasts, a detailed intersection capacity analysis was completed using Synchro/SimTraffic software. Results of the year 2017 intersection capacity analysis, shown in Table 4, indicate that the study intersection and proposed access location are expected to operate at an acceptable overall LOS A during the a.m. and p.m. peak hours with the existing roadway geometry and traffic controls. No significant delay or queuing issues are expected. Therefore, the proposed development is not expected to have a significant operational impact to the study area.

Table 4 Year 2017 Build Intersection Capacity Analysis

<table>
<thead>
<tr>
<th>Intersection</th>
<th>A.M. Peak Hour</th>
<th>P.M. Peak Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>LOS</td>
<td>Delay</td>
</tr>
<tr>
<td>Clearwater Drive/Medical Office Building (1)</td>
<td>A/B</td>
<td>14 sec.</td>
</tr>
<tr>
<td>Site Driveway/Medical Office Building (1)</td>
<td>A/B</td>
<td>10 sec.</td>
</tr>
</tbody>
</table>

(1) Indicates an unsignalized intersection with side-street stop control, where the overall LOS is shown followed by the worst approach LOS. The delay shown represents the worst side-street approach delay.
Year 2017 Conditions
6030 Clearwater Drive Traffic and Parking Study
City of Minnetonka, MN

Figure 5

Home2
6030 Clearwater Drive
15033.15a
Parking Review

As previously mentioned, the proposed development is planning to provide a total of 111 parking spaces (67 hotel; 44 daycare). To determine if the proposed parking supply will meet the demand for the site, a detailed parking review was completed using both the Minnetonka City Code as well as the ITE Parking Generation Manual, 4th Edition. The purpose of the parking review is to determine if, and by how much, the proposed parking can be reduced through sharing with the adjacent office. The following information summarizes the parking demand for the proposed development and adjacent office.

1) The minimum parking requirement based on Minnetonka City Code (Chapter 3, Section 300.28) states that for a hotel development, the minimum number of parking spaces required is one (1) space per room and one (1) space per employee during the major shift. Additionally, for a daycare facility, the Code states that one space is needed per six (6) children enrolled. Based on discussions with the developer, there will be 102 hotel rooms with a maximum of 10 employees working during the major shift and the daycare will be licensed for a maximum of 185 children. Based on the Minnetonka City Code, a total of 143 spaces are required, which results in a 32 space deficit.

2) The 85th percentile parking demand for the proposed development based on ITE is a total of 150 parking spaces, which results in a 39 space deficit. This accounts for a demand of 110 spaces for the hotel and 40 spaces for the daycare. The hotel use was assumed to be fully occupied.

3) For the adjacent office which is currently vacant, ITE and the Minnetonka City Code require/recommend a total of 345 to 400 spaces, respectively. A total of 525 spaces are currently provided for the adjacent office, of which 93 of these spaces are located on the proposed development site. It should be noted that the proposed development is expected to modify the adjacent lot, leaving a total of 77 spaces. The 525 spaces would represent a 125 space surplus for the adjacent office.

Based on the parking demand information identified, the following parking considerations are offered:

4) If the adjacent 77 remaining spaces that are currently located within the proposed development site are shared with the proposed development, a total of 73 new spaces would need to be provided on site to meet the estimated demand.
   a. An additional 23 spaces on site should be provided to help reduce internal circulation and the perception of inadequate parking. This equates to 15 percent of the total demand, which is recommended by ITE, resulting in a need of 96 total new parking spaces for the proposed development. It should be noted that this does not account for any shared-use throughout the day, which could further reduce the necessary parking spaces.

5) The a.m. peak period for both the hotel and daycare uses coincide with one another. Therefore, if shared parking between the uses was desired, only a small reduction (i.e. approximately 10 spaces) would be reasonable to consider.

6) Further discussions with the developer, adjacent office owner, and City should occur to determine the use of the adjacent parking within the area.
Site Plan Review

A review of the proposed site plan was completed to identify any issues and recommend potential improvements with regard to site access, circulation, and parking. The following improvements are offered for consideration, which are illustrated in Figure 6:

a) Relocate the hotel handicap parking near the main lobby entrance to reduce potential conflicts.

b) Review the main lobby driveway aisle and identify one-way operations or widen the driveway aisle to accommodate two-lanes of travel. Specific movements in/out of this area should be considered as part of the review.

c) Incorporate traffic controls, signing and striping based on guidelines established in the *Manual on Uniform Traffic Control Devices* (MUTCD), where appropriate.
**Summary and Conclusions**

The following study conclusions and recommendations are offered for consideration:

1) Results of the existing intersection capacity analysis indicate that the study intersection currently operates at an acceptable overall LOS A during the a.m. and p.m. peak hours with the existing geometric layout and traffic control.

2) The proposed development is expected to include both an extended stay hotel and a daycare facility, which was assumed to be fully operational by the year 2017.

3) The proposed development is expected to generate a total of 170 a.m. peak hour, 174 p.m. peak hour and 1,300 daily trips.

4) An annual growth rate of one-half percent was applied to the existing peak hour traffic volumes to develop year 2017 background traffic forecasts.

5) Results of the year 2017 intersection capacity analysis indicate that the study intersection and proposed site driveway are expected to operate at an acceptable overall LOS A during the a.m. and p.m. peak hours with the existing roadway geometry and traffic controls.

6) The Minnetonka City Code requires 143 parking spaces, which results in a 32 space deficit.

7) The 85th percentile parking demand for the proposed development based on ITE is a total of 150 parking spaces, which results in a 39 space deficit.

8) For the adjacent office, ITE and the Minnetonka City Code require/recommend a total of 345 to 400 spaces, respectively. A total of 525 spaces are currently provided for the adjacent office, of which 93 of these spaces are located on the proposed development site.
   a. The proposed development is expected to modify the adjacent lot, leaving a total of 77 spaces. The 525 spaces would represent a 125 space surplus for the adjacent office.

9) If the adjacent 77 remaining spaces that are currently located within the proposed development site are shared with the proposed development, a total of 73 spaces would need to be provided on site to meet the estimated demand.
   a. An additional 23 spaces on site should be provided to help reduce internal circulation and the perception of inadequate parking, resulting in a need of 96 total new parking spaces for the proposed development.

10) Consider the following site plan modifications:
   a. Relocate the hotel handicap parking near the main lobby entrance to reduce potential conflicts.
   b. Review the main lobby driveway aisle and identify one-way operations or widen the driveway aisle to accommodate two-lanes of travel.
   c. Incorporate traffic controls, signing and striping based on guidelines established in the *Manual on Uniform Traffic Control Devices* (MUTCD), where appropriate.
pursuant to Minnesota Statutes section 13D.03. All voted “yes.” Motion carried.

F. City manager performance pay

Allendorf moved, Acomb seconded a motion to approve a lump sum merit pay amount of $1,424.59. All voted “yes.” Motion carried.

11. Consent Agenda – Items requiring Five Votes: None

12. Introduction of Ordinances:

A. Items concerning a hotel and daycare on the property at 6030 Clearwater Drive:

1) Ordinance amending the existing Minnetonka Corporate Center master development plan;
2) Conditional use permit;
3) Site and building plan review;
4) Sign plan amendment; and
5) Preliminary and final plats.

Acting City Planner Susan Thomas gave the staff report.

Beth Timm, representing the developer, said the proposal was for an extended stay hotel and a daycare that would be a complementary use to the existing corporate center. The extended stay would cater to corporate users.

Acomb said she visited the site earlier in the day and noted the stormwater pond looked very sterile. She asked that attention be given to natural landscaping around it or something be done to improve its look.

Schneider asked if the city currently had management over the stormwater pond. Thomas said she believed the city did not maintain the pond but staff would confirm that.

Wiersum moved, Bergstedt seconded a motion to introduce the rezoning ordinance and refer it to the planning commission. All voted “yes.” Motion carried.

13. Public Hearings: None
Ordinance No. 2016-

An ordinance amending the existing master development plan of Minnetonka Corporate Center as it pertains to the property at 6030 Clearwater Drive

The City Of Minnetonka Ordains:

Section 1.

1.01 This ordinance hereby amends the Minnetonka Corporate Center master development plan as it pertains to the property at 6030 Clearwater Drive.

1.02 The property is legally described as: Lot 2, Block 1, Minnetonka Corporate Park.

1.03 The amendment approves hotel and daycare land uses on the site.

Section 2.

2.01 This ordinance is based on the following findings:

1. The proposal is consistent with the 2030 Comprehensive Guide Plan.

2. The amendment would not negatively impact the public health, safety, and welfare.

Section 3.

3.01 Approval is subject to the following conditions:

1. The site must be developed and maintained in substantial conformance with the following plans:

   • Site and Utility Plan, revised date December 4, 2015
• Grading Plan, revised date December 4, 2015
• Landscape Plan, most recent date December 2, 2015
• Exterior Elevations, dated December 4, 2015
• Exterior Rendering, received December 4, 2015

The above plans are hereby adopted as the master development plan for the 6030 Clearwater Drive property.


Section 4. A violation of this ordinance is subject to the penalties and provisions of Chapter XIII of the city code.

Section 5. This ordinance is effective immediately.

Adopted by the city council of the City of Minnetonka, Minnesota, on January 4, 2016.

__________________________
Terry Schneider, Mayor

Attest: ______________________
David E. Maeda, City Clerk

Action on this Ordinance:
Date of introduction: November 9, 2015
Date of adoption: January 4, 2016
Motion for adoption: ____________________________
Seconded by: __________________________________
Voted in favor of: ______________________________
Voted against: ________________________________
Abstained: _________________________________
Absent: ________________________________
Ordinance adopted.
Date of publication:

I certify that the foregoing is a correct copy of an ordinance adopted by the city council of the City of Minnetonka, Minnesota at a regular meeting held on January 4, 2016.

David E. Maeda, City Clerk
Resolution No. 2016-

Resolution approving the preliminary and final plats of BUHL MINNETONKA ADDITION at 6030 Clearwater Drive

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

Section 1. Background.

1.01 Buhl Investors Minnetonka I LLC has requested preliminary and final plat approval of BUHL MINNETONKA ADDITION.

1.02 The property is located at 6030 Clearwater Drive. It is legally described as: Lot 2, Block 1, Minnetonka Corporate Park.

1.03 On December 17, 2015, the planning commission held a hearing on the proposed plats. The applicant was provided the opportunity to present information to the commission. The planning commission considered all of the comments received and the staff report, which are incorporated by reference into this resolution. The commission recommended that the city council grant preliminary plat and final approval.

Section 2. General Standards.

2.01 City Code §400.030 outlines subdivision design standards.

Section 3. Findings.

3.01 The proposed preliminary and final plats would meet the design standards as outlined in City Code §400.030.

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

1. Prior to release of the final plat for recording:
   a) Provide the following 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 is current within thirty days before release of the final plat.
      2) Shared access agreement or easement between Lots 1 and 2. The agreement/easement must state the maintenance responsibilities of each owner.
      3) Private utility easements over proposed sanitary sewer and watermain.
   b) Submit the following:
      1) A revised final plat drawing. The final drawing must include:
         a. Drainage and utility easement over the existing stormwater pond.
         b. 14-foot wide drainage and utility easement centered on the new property line.
      2) Two sets of mylars for city signatures.
      3) An electronic CAD file of the plat in microstation or DXF.
      4) Park dedication fee of $42,000. Staff may approve a reduction of this fee based on cost associated with construction of the sidewalk connecting the hotel and day care site to the existing sidewalk on Clearwater Drive.

2. This approval will be void if: (1) the final plat is not recorded with the county within one calendar year of preliminary plat approval; and (2) the city has not received and approved a written application for a time
extension within one calendar year of final plat approval.

Adopted by the City Council of the City of Minnetonka, Minnesota, on January 4, 2016.

__________________________________________
Terry Schneider, Mayor

Attest:

__________________________________________
David E. Maeda, City Clerk

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

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by
the City Council of the City of Minnetonka, Minnesota, at a duly authorized meeting held
on January 4, 2016.

__________________________________________
David E. Maeda, City Clerk
Resolution No. 2016-
Resolution approving a conditional use permit for a hotel at
6030 Clearwater Drive

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

Section 1.  Background.

1.01  Buhl Investors Minnetonka I LLC has requested a conditional use permit for a five-story, 102-unit, extended stay hotel at 6030 Clearwater Drive.

1.02  The property is legally described as: Lot 2, Block 1, Minnetonka Corporate Park.

1.03  On December 17, 2015, the planning commission held a hearing on the proposal. The applicant was provided the opportunity to present information to the commission. The commission considered all of the comments received and the staff report, which are incorporated by reference into this resolution. The commission recommended that the city council approve the permit.

Section 2.  Standards.

2.01  City Code §300.21 Subd.2 outlines the following general conditional use permit standards:

1.  The use is consistent with the intent of this ordinance;

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

3.  The use does not have an undue adverse impact on governmental facilities, utilities, services or existing or proposed improvements;
4. The use is consistent with the city's water resources management plan;

5. The use is in compliance with the performance standards specified in section 300.28 of this ordinance; and

6. The use does not have an undue adverse impact on the public health, safety or welfare

2.02 City Code §300.21 Subd.3(h) outlines the following specific conditional use permit standards for hotels:

1. Shall not be located adjacent to any low density residential parcels as identified in the comprehensive plan;

2. Shall be developed to serve primarily the office district in which the use is located; and

3. Shall only be permitted when it can be demonstrated that operation will not significantly lower the existing level of service as defined by the institute of traffic engineers on streets and intersections.

Section 3. Findings.

3.01 The proposal would meet the general conditional use permit standards outlined in City Code §300.21 Subd.2.

3.02 The proposal would meet all of the specific conditional use permit standards outlined in City Code 300.21 Subd.3(h).

1. The proposed hotel would be surrounded by office and services uses. It would be located over a third of a mile from the closest low-density residential area.

2. The proposed hotel is anticipated to serve travelers to the various businesses in and around the Minnetonka Corporate Center.

3. A city-commission traffic study concluded that the proposed hotel would not significantly lower the existing level of service on area streets or intersections.

Section 4. City Council Action.

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

1. This resolution must be recorded with Hennepin County.

2. The city council may reasonably add or revise conditions to address any future unforeseen problems.

3. Any change to the approved use that results in a significant increase in traffic or a significant change in character would require a revised conditional use permit.

Adopted by the City Council of the City of Minnetonka, Minnesota, on January 4, 2016.

__________________________
Terry Schneider, Mayor

Attest:

__________________________
David E. Maeda, City Clerk

**Action on this resolution:**

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

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Minnetonka, Minnesota, at a meeting held on January 4, 2016.

__________________________
David E. Maeda, City Clerk
Resolution No. 2016-

Resolution approving final site and building plans for
6030 Clearwater Drive

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

Section 1. Background.

1.01 Buhl Investors Minnetonka I LLC has requested site and building plan approval for development of the property at 6030 Clearwater Drive. As proposed, a five-story, 102-unit hotel would be constructed on the west half of the site in the near term and a two-story day care facility would be constructed on the east half of the site at some point in the future.

1.02 The property is legally described as: Lot 2, Block 1, Minnetonka Corporate Park.

1.03 On December 17, 2015, the planning commission held a hearing on the proposal. The applicant was provided the opportunity to present information to the commission. The commission considered all of the comments received and the staff report, which are incorporated by reference into this resolution. The commission recommended that the city council approve the final site plan for the entirety of the site and final building plans for the hotel.

Section 2. Standards Findings.

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

1. Consistency with the elements and objectives of the city's development guides, including the comprehensive plan and water resources management plan;

2. Consistency with this ordinance;
3. Preservation of the site in its natural state to the extent practicable by minimizing tree and soil removal and designing grade changes to be in keeping with the general appearance of neighboring developed or developing areas;

4. Creation of a harmonious relationship of buildings and open spaces with natural site features and with existing and future buildings having a visual relationship to the development;

5. Creation of a functional and harmonious design for structures and site features, with special attention to the following:
   a) An internal sense of order for the buildings and uses on the site and provision of a desirable environment for occupants, visitors and the general community;
   b) The amount and location of open space and landscaping;
   c) Materials, textures, colors and details of construction as an expression of the design concept and the compatibility of the same with the adjacent and neighboring structures and uses; and
   d) Vehicular and pedestrian circulation, including walkways, interior drives and parking in terms of location and number of access points to the public streets, width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic and arrangement and amount of parking.

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

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

Section 3. Findings.

3.01 The city has considered the items outlined in City Code §300.27, Subd. 5 and finds the following:
1. The proposal has been reviewed by city planning, engineering, natural resources, public works, fire, and legal staff and found to be generally consistent with the city’s development guides.

2. The proposal would be generally consistent with the zoning ordinance, as well as the original master development plan for the site.

3. The proposal would result in significant grading. However, the level of grading and resulting tree impact would be anticipated with any development consistent with the previously approved master development plan for the site and with other existing development on adjacent and surrounding properties.

4. The proposed site design is intuitive, and would result in appropriate location of buildings, parking areas, and open spaces relative to existing buildings, parking areas, and open spaces.

5. The proposed site design is intuitive, with appropriate circulation patterns established for vehicular traffic. In addition, sidewalk connections are proposed from both the hotel and future day care to the sidewalk adjacent to Clearwater Drive. This existing sidewalk connects to the trail on Rowland Road, and ultimately to a regional trail.

6. The proposed building design would feature EIFS, with metal panel and stone accents. While this façade is unlike others in the Minnetonka Corporate Center, there is not one predominante design in the business park. Rather, the park contains buildings of almost entirely glass facades, almost entirely brick facades, facades of a combination of brick and EFIS, and others of entirely concrete panels. Given this variety, the proposed building would not detract from any existing design expression.

7. As new construction, the proposed hotel would meet all current building code standards including those pertaining to energy conservation.

8. The proposal would not negatively impact adjacent or neighboring properties. In fact, staff anticipates the proposal would complement the existing uses of these properties.

Section 3. City Council Action.

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

1. Subject to staff approval, the site must be developed and maintained in substantial conformance with the following plans, except as modified by the conditions below:

- Site and Utility Plan, revised date December 4, 2015
- Grading Plan, revised date December 4, 2015
- Landscape Plan, most recent date December 2, 2015
- Exterior Elevations, dated December 4, 2015
- Exterior Rendering, received December 4, 2015

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

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

   1) An electronic PDF copy of all required plans and specifications.

   2) Three full size sets of construction drawings and project specifications.

   3) Confirmation that existing sanitary facilities are adequately sized to serve both the hotel and day care.

   4) Final site, grading, stormwater management, utility, landscape, tree mitigation, and natural resource protection plans, and a stormwater pollution prevention plan (SWPPP) for staff approval.

      a. Final site plan must:

         1. Illustrate minimum sidewalk clear width of five feet. This five foot clearance must take into consideration automobile overhang into the sidewalk area.

         2. Illustrate clear crosswalk delineation between sidewalks.

         3. Include an exhibit illustrating truck turning movements/templates.
4. Consider design changes suggested on Figure 6 of the December 8, 2015 SRF Traffic and Parking Study.

b. Final grading plan must:

1. Minimize grading within the critical root zones of Tree #21 and Tree #30 as identified on Tree Inventory Plan.

c. Final stormwater management plan must meet Nine Mile Creek Watershed District Rules and the requirements of city's Water Resources Management Plan, Appendix A. Design. The plan must include a narrative indicating conformance with watershed and city rules, impervious surface information, soil boring data, and modeling demonstrating rate control and water quality treatment.

d. Final utility plan must:

1. Show all existing utilities.

2. Clearly label utilities and stormwater facilities as “private.”

3. Include isolation valves on water services lines to both the hotel and future day care.

4. Include a valve at the watermain connection point.

5. Include invert elevation of the sanitary manhole to confirm ability to provide gravity service to the future day care.

6. Include additional storm sewer improvements in the day care parking lot. The southern point of the parking lot must be connected to the proposed infiltration basin.
7. Include stormwater calculations. The existing pond must be surveyed and modeled to confirm that existing runoff flow rates will be maintained leaving the site. Otherwise, the infiltration basins must be modeled to show that the rate control component is met prior to discharge into the pond.

8. Include two additional hydrants around the hotel: one located off the northeast corner of the hotel in a parking lot island and one located on the west side of the site in the grass area north of the trash enclosure.

e. Final landscaping and tree mitigation plans must:

1. Meet minimum landscaping and mitigation requirements as outlined in city code. However, at the sole discretion of natural resources staff, mitigation may be adjusted based on site conditions.

2. Include an itemized plant material list, including plantings in the infiltration basins.

3. Substitute five of the proposed Autumn Blaze maples with a different deciduous shade tree.

4. Substitute nine of the proposed Black Hills spruce with a different evergreen tree, such as Norway spruce or pine.

5. Include rain sensors on any irrigation systems.

5) The following documents for the review and approval of the city attorney:

a. Shared access agreements or easements over the properties at 6000 and 6050 Clearwater
b. Stormwater maintenance agreements/easements over all stormwater facilities.

c. Evidence that a parking lot may be constructed in the existing Electric Transmission easement.

d. If utility connections are to be made to private water and sewer lines, an easement or agreement allowing for such connection. The easement/agreement must state the maintenance responsibilities of each owner. Public utilities are available in Clearwater Drive.

6) Individual letters of credit or cash escrow for 125% of a bid cost or 150% of an estimated cost to construct parking lot and utility improvements, comply with grading permit, tree mitigation requirements, landscaping requirements, and to restore the site. One itemized letter of credit is permissible, if approved by staff.

a. The city will not fully release the letters of credit or cash escrow until:

• A final as-built survey has been submitted;

• An electronic CAD file or certified as-built drawings for public infrastructure in microstation or DXF and PDF format have been submitted;

• Vegetated ground cover has been established; and

• Required landscaping or vegetation has survived one full growing season.

7) Cash escrow in an amount to be determined by city staff. This escrow must be accompanied by a document prepared by the city attorney and signed by
the builder and property owner. Through this document the builder and property owner will acknowledge:

- The property will be brought into compliance within 48 hours of notification of a violation of the construction management plan, other conditions of approval, or city code standards; and

- If compliance is not achieved, the city will use any or all of the escrow dollars to correct any erosion or grading problems.

8) 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.

9) All required administration and engineering fees.

b) Prior to issuance of the grading permit:

1) Obtain and submit a permit from the Minnesota Department of Health.

2) Obtain and submit a sanitary sewer extension permit from the Minnesota Pollution Control Agency.

3) Install a temporary rock driveway, erosion control, and tree protection fencing and any other measures identified on the SWPPP for staff inspection. These items must be maintained throughout the course of construction.

4) Schedule and hold a preconstruction meeting with engineering, planning, and natural resources staff as determined by city staff.

3. Prior to issuance of a building permit for construction of the hotel:

a) Submit the following documents:

1) Proof of subdivision registration and transfer of NPDES permit.
2) 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.

b) Submit revised building elevations.

1) The parapet walls surrounding the proposed signs must all be constructed to the same height.

2) The area under the proposed southeasterly wall sign must receive a façade treatment similar to the treatment under the southwesterly and northeasterly wall signs, visually incorporating the sign into the wall structure.

c) 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 property owner will acknowledge:

- The property will be brought into compliance within 48 hours of notification of a violation of the construction management plan, other conditions of approval, or city code standards; and

- If compliance is not achieved, the city will use any or all of the escrow dollars to correct any erosion and/or grading problems.

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

d) Submit all required hook-up fees.

6. Retaining walls over four feet in height must be engineered by a licensed structural engineer and fall protection must be provided.

7. During construction the street must be kept free of debris and sediment.
8. The property owner is responsible for replacing any required landscaping that dies.

9. This resolution approves the final site plan for the entirety of the site and final building plans for the hotel only. Future construction of the day care requires separate building plan review before the planning commission.

Adopted by the City Council of the City of Minnetonka, Minnesota, on January 4, 2016.

__________________________
Terry Schneider, Mayor

Attest:

__________________________
David E. Maeda, City Clerk

Action on this resolution:

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

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Minnetonka, Minnesota, at a duly authorized meeting held on January 4, 2016.

__________________________
David E. Maeda, City Clerk
Resolution No. 2016-

Resolution approving a sign plan amendment to the sign plan for
Minnetonka Corporate Center at 6030 Clearwater Drive

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

Section 1. Background.

1.01 Minnetonka Corporate Center is governed by a sign plan that was approved by the city council on August 6, 1984.

1.02 Buhl Investors Minnetonka I LLC has requested an amendment to the sign plan as it pertains to the property at 6030 Clearwater Drive. The amendment would allow for three wall signs of the following dimensions:

<table>
<thead>
<tr>
<th>Façade Location</th>
<th>Letter Height</th>
<th>Square Footage of Sign</th>
</tr>
</thead>
<tbody>
<tr>
<td>Southwest</td>
<td>7 ft to 12 ft</td>
<td>175 sq.ft.</td>
</tr>
<tr>
<td>Southeast</td>
<td>7 ft to 12 ft</td>
<td>175 sq.ft.</td>
</tr>
<tr>
<td>Northwest</td>
<td>4 ft to 7 ft</td>
<td>65 sq.ft.</td>
</tr>
</tbody>
</table>

Section 2. Standards

2.01 Under the Minnetonka Corporate Center sign plan, any building at 6030 Clearwater Drive is allowed two wall signs, with maximum letter height of 36 inches.

2.02 By City Code §300.30 Subd. 5(c)(2)(b), hotels are permitted one wall sign except that a second wall sign on a second wall may be permitted if the signs are not directly oriented toward a low density residential area.

2.03 By City Code §300.30 Subd. 5(c)(2)(c), hotels signs are allowed a maximum letter height up to 36 inches. The code goes on to state that “variances may be considered for letter height based on proportional relationship to the mass and height of building.”
2.04 City Code 300.30 Subd 5. (c) states, “because of the need for high visibility and the variety in size and shape of hotel structures, variances will be considered but not necessarily granted.”

Section 3. Findings.

3.01 The Minnetonka Corporate Center sign plan regulates signage on the subject property. However, city code may be used for guidance for establishing appropriate numbers and sizes.

3.02 City code clearly indicates that hotels have unique signage needs and contemplates that deviations from the sign regulations may be approved for hotels.

3.03 Of the four existing hotels in Minnetonka, none would meet the sign regulations for the Minnetonka Corporate Center or the sign ordinance.

3.04 The signs proposed by the applicant are reasonable as:

1. While “taller” than signs at other hotels in the community, the proposed individual signs would have less total area than individual signs at other hotels.

2. The proposed hotel would have some level of visibility from I-494, Highway 62, and Clearwater Drive.

3. The proposed signs would be proportionally-sized to the mass and height of the proposed building.

Section 4. City Council Action.

4.01 The above-described sign plan amendment is approved based on the finding outlined in section 3 of this resolution. Approval is subject to the following conditions:

1. This resolution must be recorded with Hennepin County.

2. Wall signs must be designed and located in substantial compliance with those depicted on Building Elevations dated December 4, 2015.

3. Signs permits are required.
Adopted by the City Council of the City of Minnetonka, Minnesota, on January 4, 2016.

Terry Schneider, Mayor

Attest:

David E. Maeda, City Clerk

**Action on this resolution:**

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

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Minnetonka, Minnesota, at a meeting held on January 4, 2016.

David E. Maeda, City Clerk
8. Public Hearings

A. Items concerning a hotel and daycare on the property at 6030 Clearwater Drive.

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 Chair Kirk’s question, Thomas explained that if an outlot was shown without a use, then the applicant would have to request an amendment of the master development plan a second time. A separate application for a conditional use permit to operate a daycare is also required.

O’Connell asked what would happen if the proposed building was the same as the one approved with the 1983 master development plan. Thomas answered that the planning commission would still review the site plan relative to current ordinance standards.

Peter Deanovic, representing Buhl Investors, applicant, stated that he was available for questions. He worked with staff to create a concept and site plan consistent with the neighborhood.

Calvert asked if there would be sign other than the wall signs for the hotel. Mr. Deanovic stated that there would be a monument sign located at the front drive aisle that would meet city ordinance requirements. The signs being reviewed would be on the side of the building. The signs on the building would likely be visible from Interstate 494. The monument sign near Clearwater Drive would provide some direction to drivers.

Chair Kirk asked how long customers usually stay at an extended-stay hotel. Mr. Deanovic has found that this product appeals to the business traveler, so it could be a week or month-long engagement. Each unit is equipped with a kitchenette which allows for longer stays. If there is a stay that lasts longer than 30 days, there are legal rental considerations. The typical length of a stay is 2 days to 5 days.

Powers asked if there are restaurants in the area and if there would be one in the hotel. Mr. Deanovic stated that there would be no restaurant in the hotel. The closest restaurants are located off of Shady Oak Road and Highway 62.
Wischnack noted that she has received many calls from parties interested in adding restaurants in that area, but the city has not received a proposal.

Powers stayed in an extended-stay hotel in Chicago and there were no restaurants nearby. It took an hour to get a pizza delivered. He asked the applicant the reasoning behind making the hotel an extended stay. Mr. Deanovic stated that with all of the corporate entities in the area, the proposed type of room configuration is more appealing for corporate-type business travelers. Hilton’s new Home2 brand provides an upgraded, youthful, very clean and crisp delivery of space that fits the market given the corporate users in the area.

Calvert confirmed with Mr. Deanovic that the hotel would also appeal to a traveler who would stay one night and a traveler who returns to the area frequently. The brand plays to the day-to-day hotel user and the longer-stay traveler. There would be a breakfast buffet, pool, and fitness center.

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

Odland noted that the Hilton brand has a reputation for keeping their properties in great shape.

Calvert favored having amenities located near a long-stay hotel. The location seems a little isolated. The Marriott is doing well in Opus, but it has a full-service restaurant in it. She was concerned with viability. Chair Kirk noted that Clearwater Drive to Rowland Road connects the site to anywhere.

In response to Chair Kirk’s question, Thomas confirmed that a conditional use permit is required for any hotel use.

Chair Kirk asked for comments on the architecture, mass, parking, and traffic flow.
Powers likes that the site is somewhat isolated. There are more restaurants and modes of transportation now than in the 1980s. This type of hotel may attract a more serious business visitor who would be committed to getting business done rather than one who would want to go out at night. The owner of the hotel makes a difference on how it would be managed and maintained.

Calvert said that the black and white images look better than the color images. The landscaping not being included in the images may be affecting the appearance. The scale is fine.
Chair Kirk noted that real life looks better than the rendering. The size of the building for the space is reasonable. The proposed signage is on the edge of being acceptable. He is o.k. with the signs because this site has unique qualities. The visibility from Highway 169 and Highway 62 is important. The signs would not impede on much else in the area, particularly residential areas.

Odland moved, second by O’Connell, to recommend that the city council adopt the following items pertaining to 6030 Clearwater Drive:

1. Ordinance approving a major amendment to the existing Minnetonka Corporate Center master development plan (see pages A40-A42 of the staff report);

2. Resolution approving preliminary and final plats (see pages A43-A45 of the staff report);

3. Resolution approving a conditional use permit for the hotel (see pages A46-A48 of the staff report);

4. Resolution approving final site plan for the overall site and final building plans for the proposed hotel (see pages A49-A59 of the staff report); and

5. Resolution approving an amendment to the Minnetonka Corporate Center sign plan (see pages A60-A62 of the staff report).

Magney, O’Connell, Odland, Powers, Calvert, Knight, and Kirk voted yes. Motion carried.

9. Adjournment

Odland moved, second by Magney, to adjourn the meeting at 7:11 p.m. Motion carried unanimously.

By: ____________________________

Lois T. Mason
Planning Secretary
Brief Description: Resolution for the 2016 Street Rehabilitation project, Oakland Road area

Recommended Action: Adopt the resolution

Introduction

In September 1994, the city council adopted a street reconstruction policy that set forth standards the city would follow in constructing and reconstructing city streets. The policy also establishes the framework for a pavement management system that maximizes the useful lives of local streets. A certain number of streets are designated each year to be rehabilitated based on this policy.

The 2016 street rehabilitation program proposes to correct deficiencies of the underlying utilities – poor water main, as well as reconstruct and resurface Oakland Road from Ridgedale Drive to Essex Road.

The Libb’s Lake area rehabilitation project, which is also included in the 2016 street rehabilitation program, was approved by council in the fall of 2015.

Background

Oakland Road was selected in 2016 based on known deficiencies of the underlying utilities – poor water main conditions. There are 23 documented water main breaks along this segment of Oakland Road, most within the last few years. The street conditions have also deteriorated as a result of both age and patching related to water main breaks.

Proposed Improvements

Staff reviewed the streets and underlying utility conditions to determine the extent of improvements. As a continued effort to look at ways to minimize disruption to the adjacent neighborhoods, staff considered alternative methods of rehabilitation.

Full replacement of the water main system is proposed along Oakland Road with a structural cured-in-place liner. The structural liner is installed in the existing pipe and acts as a new pipe which is not susceptible to corrosion. Using a cured-in-place liner only requires excavation at connection points, valves, hydrants and services. With less excavation, the surrounding neighborhood will be able to utilize the existing pavement
for an extended period of time which will significantly improve access during construction as compared to typical open cut construction methods.

The structural cured-in-place liner is an emerging technology for rehabilitating smaller diameter water main and one that has not been feasible on past projects. The limited number of water services, in addition to the sanitary sewer and storm sewer systems both in relatively good condition, allow the liner to be a feasible option. Open cut excavation of the water main would require additional costs for full removal and replacement of infrastructure that is in good condition, including curb and gutter and a majority of the existing in place storm sewer. It would also require extensive tree removal, retaining wall removal, and the potential for additional easement acquisition.

Since lining the water main does not require full excavation along the entire length of the roadway, staff is proposing to only replace the curb and gutter that is in poor condition. This improvement will provide a new paved surface without the additional cost of subgrade replacement. Roadway widening is not necessary since Oakland Road currently meets the city’s standard section of 26-feet wide.

The existing 6-foot wide bituminous trail is proposed to be replaced with a new pavement surface, as well as widen the trail to eight feet on the road side where there is room available. Due to the existing tight corridor, there are several areas where an 8-foot wide trail is not feasible.

Two areas have been identified for storm sewer improvements in the project area. Proposed improvements in these areas include replacing storm pipe and installation of outlet control structures. Additionally, minor grading and tree removal may be necessary to address maintenance concerns at these outlets. Individual meetings with these adjacent property owners are scheduled.

Sanitary sewer inspections have revealed the overall condition of the system is good, but that isolated sewer lining repairs are necessary to correct infiltration deficiencies. Additionally, manhole castings will be replaced to eliminate inflow and infiltration at all locations.

**Alternate Improvements**

An alternate plan to fully replace the water main by open cut excavation is also proposed to be bid. This construction method is more typical of full reconstruction projects and it will ensure that the city has flexibility when awarding the project if the bids for cured-in-place structural lining are not acceptable. This alternate will require roadway improvements including full replacement of the pavement, curb and gutter, and street subgrade, and will increase access disruption during the project. It will also require far more tree removal in the area.
Public Input

An Informational meeting was held with the affected neighborhood on December 15, 2015. Approximately 15 residents out of 119 invitees attended where staff presented a concept layout that incorporated proposed streets, storm sewer, and utility work. Staff discussed rehabilitation projects of this type which require open cut excavations are very intensive and disruptive to access in and out of the neighborhood, due to the extent of the excavations required, and highlighted the consideration for water main lining to potentially reduce these impacts. It was also discussed that final bid prices would ultimately determine if lining will be the final option. Residents were generally supportive of the project; they are aware of the issues with the water main and are appreciative that the city will be replacing the water main to improve service reliability.

At the meeting, staff further presented information on the different ways to stay informed during construction. Staff has been using various strategies to provide updates for other city projects including: email updates, citizen alerts, newsletters, and social media. Staff asked for feedback about each residents preferred method of communication and discussed that the city is open to any new ideas from residents. Feedback received was that residents would like to see multiple options from the current methods used.

A listing of resident questions and staff answers are included in the appendix of the attached feasibility report.

Staff will be meeting with the city’s new Communications Manager to establish additional communication procedures and explore alternative ways to reach out to residents, such as group texting, automated calling, increased personal interaction and finding new ways to provide city contact information such as magnets and enhanced door hangers.

Estimated Project Costs and Funding

The total estimated construction cost, including engineering, administration, and contingency is $1,845,000. The budget amount for the project is shown below and is included in the 2016 – 2020 Capital Improvements Program (CIP). Based on the current estimate, the CIP will likely need to be amended at the time of bid award to reflect the additional funds needed for the street and storm sewer portion of the work.
<table>
<thead>
<tr>
<th></th>
<th>Budget Amount</th>
<th>Proposed Funding</th>
<th>Expense</th>
</tr>
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<tbody>
<tr>
<td>Construction Costs</td>
<td></td>
<td></td>
<td>$1,418,000</td>
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<tr>
<td>Contingencies – 10%</td>
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<td>Utility Fund</td>
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<tr>
<td>Storm Sewer Fund</td>
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<td>$165,000</td>
<td></td>
</tr>
<tr>
<td><strong>Total Budget</strong></td>
<td><strong>$1,995,000</strong></td>
<td><strong>$1,845,000</strong></td>
<td><strong>$1,845,000</strong></td>
</tr>
</tbody>
</table>

Costs for the alternate bid of typical open cut excavation of water main for this project are estimated to be more expensive than the base project which includes water main lining. This is due to the cost savings associated with less impacts and restoration of existing infrastructure and adjacent features. By bidding both construction methods, actual bid results will confirm the estimates in the feasibility report and allow staff and council to weigh the project costs against impacts to the neighborhood. Staff anticipates that balances in the funds as well as currently estimated savings in 2015 will cover any final costs above the original 2016 budgets as determined when bids are awarded.

**Schedule**

If the recommended actions are approved by council, staff would anticipate developing the final plans January through February. The plans would then be brought to council for final approval in mid-March with intentions of having council award the bids for this project in April. Construction will likely begin in early May. The project is planned to be completed in two phases to allow residents to have better access through the project.

**Recommendation**

Adopt the attached resolution receiving the feasibility report, ordering the improvements in, authorizing preparation of plans and specifications, and authorizing easement acquisition for the 2016 Street Reconstruction, Oakland Road area Project No.16402.

Submitted through:
- Geralyn Barone, City Manager
- Will Manchester, PE, Director of Engineering

Originated by:
- Phil Olson, PE, Engineering Project Manager
Resolution No. 2016-

Resolution receiving Feasibility Report, ordering the improvements in, authorizing preparation of Plans and Specifications, and authorizing Easement Acquisition for the 2016 Street Rehabilitation, Oakland Road area Project No. 16402

Be It Resolved by the City Council of the City of Minnetonka, Minnesota as follows:

Section 1. Background.

1.01. A feasibility report was prepared by and/or under the direction of the engineering department of the City of Minnetonka with reference to the proposed 2016 Street Rehabilitation, Oakland Road area Project No. 16402.

1.02. This report was received by the City Council on January 4, 2016 with the project to be known as:

2016 Street Rehabilitation, Oakland Road area, Project No. 16402.

Section 2. Council Action.

2.01. The feasibility report is hereby accepted and the preparation of plans and specifications are hereby authorized.

2.02. The proposed improvements are hereby ordered as proposed.

2.03. The city engineer is hereby designated as the engineer for this improvement. He may retain any professional help he deems necessary.

2.04. The city attorney and the city engineer are hereby authorized to acquire necessary easements by negotiation or condemnation.

Adopted by the City Council of the City of Minnetonka, Minnesota, on January 4, 2016.

________________________________________________________________________

Terry Schneider, Mayor

Attest:

________________________________________________________________________

David E. Maeda, City Clerk
Action on This Resolution:

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

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Minnetonka, Minnesota, at a duly authorized meeting held on January 4, 2016.

______________________________
David E. Maeda, City Clerk
2016 Rehabilitation Program

Reconstruction Area

This map is for illustrative purposes only.
### 2016 Street Rehabilitation Funding Summary

<table>
<thead>
<tr>
<th>Funding Sources</th>
<th>2016 Street Rehabilitation Summary: Estimated Costs</th>
<th>Balance</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>2016 CIP</td>
<td>Oakland Road</td>
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<tr>
<td>Street Improvement Fund*</td>
<td>$5,000,000</td>
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<td>Storm Sewer Fund</td>
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<td>Utility Fund</td>
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<tr>
<td><strong>Total Project Cost</strong></td>
<td>$11,480,000</td>
<td>$1,845,000</td>
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</table>

* Includes $1,000,000 from 2016 CIP - Local Street Preservation (Mill and Overlay Portion Libb's Lake Area)
Feasibility Report
for
Oakland Road: Street and Utility Improvements
City of Minnetonka Project No. 16402
December 30, 2015

Prepared by:
Hansen Thorp Pellinen Olson, Inc.
7510 Market Place Dr. • Eden Prairie, MN 55344
Phone: (952) 829-0700 • Fax: (952) 829-7806
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 Licensed Professional Engineer under the laws of the state of Minnesota.

Adam Pawelk, P.E.
Lic. No. 49990

12-30-15
Date
# Table of Contents

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Improvement Details .....................................................................................................5  
Neighborhood Informational Meeting ......................................................................8  
Conclusion and Recommendations ............................................................................8  

**Appendix A**

- Figure A-1 Location Map  
- Figure A-2 Aerial Map  
- Figure A-3 Schematic Layout – Proposed Plan  
- Figure A-4 Schematic Layout – Alternate Plan

**Appendix B**

- Preliminary Cost Estimate – Proposed Plan  
- Preliminary Cost Estimate – Alternate Plan

**Appendix C**

- Neighborhood Informational Meeting Attendance Roster, Questions, and Comment Forms
Introduction

This report presents the results of a preliminary engineering study for the Oakland Road Street and Utility Improvements for the City of Minnetonka. The subject area is located along Oakland Road from Essex Road to Ridgedale Drive (see Figure A-1 in Appendix A). The primary goal of the project is to repair the failing watermain along Oakland Road.

Existing Conditions

The project area is a single-family residential neighborhood. Oakland Road is a 26-foot wide two-lane bituminous roadway with concrete curb and gutter. In 1995 the roadway was reconstructed and a 6-foot wide bituminous walk was added along the east side of the roadway. Wood retaining walls are located at various locations within the right-of-way.

An 8-inch sanitary sewer line and an 8-inch watermain within the Oakland Road right-of-way provide sewer and water service to adjacent homes. The watermain and sanitary sewer from Ridgedale Drive to Indian Road was installed in 1976. The watermain and sanitary sewer from Indian Road to Essex Road was installed in 1995.

There have been 23 documented watermain breaks along Oakland Road, most within the last few years. Recently a segment of the watermain failed at the northern end of Oakland Road near Ridgedale Drive. The City removed and replaced the failed portion of watermain, approximately 470 feet, this last fall.

The project area generally drains from east to west. Stormwater runoff drains to multiple catch basins located along the roadway. The storm sewer system was installed in 1995 and several sump structures were incorporated to collect sediment.

The project area is located within the Minnehaha Creek Watershed District (MCWD). An updated wetland delineation of the project area has been completed to determine the location and classification of adjacent wetlands.

Figure A-2 located in Appendix A shows an aerial map of the project area.
Improvement Details

Proposed Plan

Due to the poor condition of the watermain and recent increase in watermain breaks, the 8-inch watermain is in need of repair. The proposed plan is to rehabilitate the watermain with a structural cured-in-place liner. The structural liner acts as a new pipe and it will greatly reduce the number of water main breaks since it does not corrode like the existing metal pipe. Also, using a cured-in-place liner only requires excavation at connection points, valves, hydrants, and services. With less excavation, the surrounding neighborhood will be able to utilize the existing pavement for a stable access road longer than if full water main replacement was completed by open cut construction methods. The adjacent fire hydrants and valves are proposed to be removed and replaced.

The sanitary sewer manholes appear to be in fair condition with only repairs required. The sanitary sewer pipe was televised as part of the 2016-2018 CIP Utility Condition Assessment completed by Stantec in February 2015. The assessment report has identified two sections of sewer pipe, approximately 460 feet, which needs rehabilitation to prevent infiltration and inflow. This sewer pipe would be rehabilitated with a cured-in-place liner.

The majority of the storm sewer manholes and catch basins appear to be in fair condition with only repairs to these structures required. The poor condition of some of the other structures warrant full replacement. The majority of the storm sewer pipe appears to be functioning properly, and based on the age and material of the pipe, no major repairs appear to be required. However, two areas have been identified that require stormwater repair and maintenance. Also, repairs at the pipe outlets, including installation of riprap material are to be completed as needed. Installation of additional sump structures with baffle inserts are to be installed at two discharge points to help capture sediments.

The roadway pavement is in fair condition, however it is proposed for replacement due to age and the large number of patches from past watermain breaks. The existing roadway subgrade and concrete curb and gutter will be utilized since the watermain repair does not require a large amount of excavation. The new pavement section is proposed to be five inches of bituminous which matches the current City standard. Only curb and gutter
that is damaged or impacted by utility improvements is proposed for replacement.

The poor condition of the bituminous walk warrants full pavement replacement. All walk improvements will be constructed in accordance with current City standards and in accordance with current ADA standards, including installation of pedestrian curb ramps with truncated domes at all roadway intersections. The width of the walk is proposed to be increased from 6 feet to 8 feet where site conditions allow. These locations will be further evaluated during final design.

The retaining walls appear to be in fair condition and are to be protected during construction. The proposed work will require the removal of trees adjacent to the trail. During the design process and construction, suitable measures will be taken to minimize the impact.

All proposed work will need to be in compliance with the Minnehaha Creek Watershed District and City rules and regulations. The City is responsible for review and implementation of the district rules. No work is proposed that will result in major impacts to the wetlands. Only minor disturbance to the wetlands at the storm pipe outlets will be needed.

Figure A-3 located in Appendix A shows a schematic layout of the proposed plan.

**Alternate Plan**

An alternate watermain repair method is to remove and replace the watermain using standard open cut excavation methods. The unit price for replacing the watermain is estimated to be lower than lining per lineal foot. However, using standard excavation methods will result in a greater impact to the surrounding area resulting in an estimated increase to the total project cost. Excavation will require removal and replacement of all curb and gutter along with segments of the retaining walls. A larger number of storm sewer structures and pipe will also need to be removed and replaced due to the close proximity of the storm sewer to the watermain. The alternate plan will also reduce the length of time that the roadway pavement remains in place during construction, resulting in a greater impact to the residents.
The alternate method is proposed to be included in the bid documents in order to verify estimated bid prices for cured-in-place lining versus open cut excavation and provide the City options for evaluating bids.

Figure A-4 located in Appendix A shows a schematic layout of the alternate plan.

**Right-of-Way and Easements**

The proposed improvements for this project fall within the existing street right-of-way and existing drainage and utility easements. Therefore, no easements are proposed. Due to tight site constraints, the specifications will include language directing the contractor to select construction methods to minimize the impacts and language stating the contractor is responsible for protecting the site features, including the retaining walls.

**Estimated Project Costs and Funding**

Table 1 shows a summary of the estimated costs for the proposed plan. Table 2 shows a summary of the estimated costs for the alternate plan. Tabulations showing the itemized breakdown of the costs are included in Appendix B.

<table>
<thead>
<tr>
<th>Table 1: Estimated Costs for Proposed Plan</th>
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<tbody>
<tr>
<td>Surface</td>
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<tr>
<td>Construction Costs</td>
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<tr>
<td>Contingencies (10%)</td>
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<tr>
<td>Indirect (20%)</td>
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<table>
<thead>
<tr>
<th>Table 2: Estimated Costs for Alternate Plan</th>
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</thead>
<tbody>
<tr>
<td>Surface</td>
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<tr>
<td>Construction Costs</td>
</tr>
<tr>
<td>Contingencies (10%)</td>
</tr>
<tr>
<td>Indirect (20%)</td>
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<tr>
<td>Total</td>
</tr>
</tbody>
</table>
Neighborhood Informational Meeting

A neighborhood informational meeting for the area residents was held on December 15, 2015, at City Hall to present the improvement plans. City Staff introduced the project and discussed the City’s process for completing the project. The meeting was then opened for questions from the attendees. There were 12 residents in attendance out of 119 properties invited. The names of the attendees, the questions addressed by City Staff, and comment cards are included in Appendix C.

Conclusion and Recommendations

This feasibility report presents the proposed street and utility improvements for Oakland Road. It concludes that these improvements are technically feasible from an engineering standpoint, and provide a benefit to the adjacent property owners.

We recommend the City Council undertake this project which includes:

- Lining or full replacement of approximately 3400 feet of watermain and replacement of adjacent fire hydrants and valves.
- Lining approximately 460 feet of sanitary sewer pipe and repairing manholes.
- Installing several new sump structures and repairing manholes, catch basins, and pipe outlets.
- Reconstructing approximately 3650 feet of bituminous roadway.
- Reconstructing approximately 3400 feet of bituminous walk.

It is recommended that the City Council proceed with the project in accordance with the following schedule:

- Neighborhood Informational Meeting: December 15, 2015
- Present Feasibility Report to City Council: January 4, 2016
- Develop Plans: January-February 2016
- Construction Begins: May 2016
- Completion: October/November 2016
- Final Paving: July 2017
Appendix A
FIGURE A-1
LOCATION MAP

7510 Market Place Drive    Eden Prairie, MN 55344
952-829-0700    952-829-7806 fax

Hansen, Tork, Pellinen, Olson, Inc.
MATCH LINE (SEE TOP RIGHT)

LEGEND - EXISTING TO REMAIN

- BITUMINOUS ROADWAY RECONSTRUCTION
- 6' WIDE BITUMINOUS TRAIL REPLACEMENT
- 8' WIDE BITUMINOUS TRAIL REPLACEMENT
- CATCH BASIN TO BE REPLACED
- CATCH BASIN IN POOR CONDITION TO BE REMOVED AND REPLACED
- CONCRETE CURB AND GUTTER TO BE REMOVED, ONLY REPLACE WHERE DAMAGED OR AS NEEDED FOR UTILITY IMPROVEMENTS (TYPICAL)
- EXISTING SANITARY SEWER MANHOLE - ADJUST FRAME, RINGS, AND CASTING (TYPICAL)
- EXISTING STORM SEWER PIPE AND CATCH BASIN - ADJUST FRAME, RINGS, AND CASTING (TYPICAL)
- SANITARY SEWER TO BE REHABILITATED WITH CURED-IN-PLACE LINER
- STORM SEWER PIPE TO BE REHABILITATED WITH LINING
- WATER MAIN TO BE REHABILITATED WITH LINING

LEGEND - PROPOSED WORK

- BITUMINOUS WALK TO BE REMOVED AND REPLACED WITH 6' WIDE BITUMINOUS WALK ADJACENT TO WALL
- CONCRETE CURB AND GUTTER TO BE REMOVED AND REPLACED WITH 6' WIDE BITUMINOUS WALK (TYPICAL)
- CURB STOP VALVE AND WATER SERVICE LINE TO REMAIN (TYPICAL)
- CATCH BASIN IN POOR CONDITION TO BE REMOVED AND REPLACED
- CATCH BASIN TO BE MODIFIED (TYPICAL)
- EXISTING SANITARY SEWER MANHOLE - ADJUST FRAME, RINGS, AND CASTING (TYPICAL)
- EXISTING STORM SEWER MANHOLE - ADJUST FRAME, RINGS, AND CASTING (TYPICAL)
- NEW STORM SEWER MANHOLE WITH SUMP AND BAFFLE INSERT
- SANITARY SEWER TO BE REHABILITATED WITH CURED-IN-PLACE LINER
- STORM SEWER PIPE TO BE REHABILITATED WITH LINING
- WATER MAIN TO BE REHABILITATED WITH LINING

7510 Market Place Drive    Eden Prairie, MN 55344
952-829-0700    952-829-7806 fax

HANSEN THORP OHLSON, Inc.
Appendix B
# Oakland Road: Street and Utility Improvements
## Preliminary Cost Estimate - Proposed Plan
### 30-Dec-15

## Schedule A - Surface Improvements

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Description</th>
<th>Est. Qty.</th>
<th>Unit</th>
<th>Unit Price</th>
<th>Total</th>
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**Total Schedule A - Surface Improvements:** $627,000.00

## Schedule B - Watermain Improvements

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<th>Unit Price</th>
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<td>Hydrant</td>
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<tr>
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<td>8&quot; Gate Valve</td>
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**Total Schedule B - Watermain Improvements:** $595,000.00

## Schedule C - Sanitary Sewer Improvements

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**Total Schedule C - Sanitary Sewer Improvements:** $69,000.00
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<td>50</td>
<td>15” RC PIPE SEWER CLASS V</td>
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<td>LF</td>
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<td>51</td>
<td>18” RC PIPE SEWER CLASS V</td>
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<td>ADJUST FRAME, RINGS, AND CASTING</td>
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<td>55</td>
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**TOTAL SCHEDULE D - STORM SEWER IMPROVEMENTS** $127,000.00
## Oakland Road: Street and Utility Improvements

**Preliminary Cost Estimate - Alternate Plan**

30-Dec-15

### SCHEDULE A - SURFACE IMPROVEMENTS

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<thead>
<tr>
<th>ITEM NO.</th>
<th>DESCRIPTION</th>
<th>QTY.</th>
<th>UNIT</th>
<th>UNIT PRICE</th>
<th>TOTAL</th>
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<td>SY</td>
<td>$3.00</td>
<td>$7,350.00</td>
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<tr>
<td>7</td>
<td>REMOVE PAVEMENT (ROADWAY)</td>
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<td>$3.00</td>
<td>$35,310.00</td>
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<tr>
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<td>14</td>
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<td>$1.50</td>
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<tr>
<td>32</td>
<td>LANDSCAPE RESTORATION</td>
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<td>HR</td>
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</table>

**TOTAL SCHEDULE A - SURFACE IMPROVEMENTS** $910,000.00

### SCHEDULE B - WATERMAIN IMPROVEMENTS

<table>
<thead>
<tr>
<th>ITEM NO.</th>
<th>DESCRIPTION</th>
<th>QTY.</th>
<th>UNIT</th>
<th>UNIT PRICE</th>
<th>TOTAL</th>
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<tr>
<td>33</td>
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<td>LF</td>
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<tr>
<td>35</td>
<td>CONNECT TO EXISTING WATERMAIN</td>
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<td>36</td>
<td>WATER SERVICE CONNECTION</td>
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<tr>
<td>37</td>
<td>HYDRANT</td>
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<tr>
<td>38</td>
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<td>39</td>
<td>8&quot; GATE VALVE</td>
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<tr>
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<tr>
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<td>PIPE BEDDING</td>
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**TOTAL SCHEDULE B - WATERMAIN IMPROVEMENTS** $346,000.00

### SCHEDULE C - SANITARY SEWER IMPROVEMENTS

<table>
<thead>
<tr>
<th>ITEM NO.</th>
<th>DESCRIPTION</th>
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<th>UNIT</th>
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<tr>
<td>46</td>
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<tr>
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<td>REPAIR SANITARY SEWER STRUCTURE</td>
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**TOTAL SCHEDULE C - SANITARY SEWER IMPROVEMENTS** $69,000.00
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**TOTAL SCHEDULE D - STORM SEWER IMPROVEMENTS** $151,000.00
## Informational Meeting Attendance Roster

**RE:** Oakland Road Reconstruction  
**Date of Meeting:** December 15, 2015  
**City Contact:** Phil Olson  
**Engineering Project Manager**  
**City Project No.:** 16402  
**Time of Meeting:** 5:30 p.m.  
**Location:** Minnetonka Community Center

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Phone Number</th>
<th>Name</th>
<th>Address</th>
<th>Phone Number</th>
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</thead>
<tbody>
<tr>
<td>Phillip Baum</td>
<td>13945 Emerald Ridge</td>
<td></td>
<td>Lucie Taylor</td>
<td>2117 Indian Rd W</td>
<td></td>
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<tr>
<td>Gary Edeleson</td>
<td>13970 Oakland Place</td>
<td></td>
<td>Carly Aust</td>
<td>13900 Emerald Ridge</td>
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<tr>
<td>Sue Kosmicki</td>
<td>1922 Oakland Rd</td>
<td></td>
<td>John &amp; Diane Corey</td>
<td>1729 Oakland Road</td>
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<tr>
<td>Peg Murphy</td>
<td>1918 Oakland Rd</td>
<td></td>
<td>Dave Schulte</td>
<td>2010 Oakland Rd</td>
<td></td>
</tr>
<tr>
<td>Drew Kalmy</td>
<td>13533 Oaklund Pl</td>
<td></td>
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<tr>
<td>Garrett Rungs</td>
<td>2213 Oakland Rd</td>
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<tr>
<td>Bennie Swanson</td>
<td>2509 Tonkawa Trail</td>
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</table>
Oakland Road Reconstruction
Informational Meeting
December 15, 2015

- Question: When will the city determine if watermain lining or if open cut watermain replacement will be chosen?

  Answer: The city is planning to request bids for both the lining option and the open cut replacement option. Once costs are received, the city will weigh the costs and compare them to the construction impacts in the surrounding neighborhoods.

- Question: What would cause the liner to not break in the future?

  Answer: A structural liner will be used on the inside of the existing watermain. The structural liner acts like a new pipe and it is not affected by the corrosion on the existing metal pipe.

- Question: Will there be settlements caused by the project?

  Answer: The city requires the contractor to compact the soil to a density where settlements won't occur. There are rare situations where the contractor does not meet this requirement and settlements occur. If this happens, the contractor will be required to repair the issue.

- Question: What is the width of the trail now?

  Answer: The current width of the trail is 6 feet. The city is reviewing the possibility of increasing the trail width to 8 feet where it is feasible. The widening is only proposed on the road side of the trail.

- Question: What is the extent of tree trimming?

  Answer: Trees will be trimmed or removed within two feet of the edge of the trail and as needed to repair damaged storm sewer.

- Question: You are lining under areas that were just paved?

  Answer: Approximately 500 feet of water main from the Oakland Road Bridge to the south was replaced this past fall. The 2016 project water main work would start where this project left off. The roadway was patched last year in the area of the
water main replacement; the patch will be improved with full width roadway reconstruction as part of the 2016 project.

- **Question:** What walls have water main near them that would be impacted by water main replaced?

  **Answer:** Walls that are located on the east side of Oakland Road on the inside curves of the road will most likely require special construction methods for watermain replacement.

- **Question:** When was the trident cut into the wetland?

  **Answer:** It appears that there is a private storm sewer system on this property that dates back to the original development. This wetland was recently classified as a Preserve wetland and any disturbance will require prior approval from the appropriate agencies.

- **Question:** Has the Tonkawa service recall been figured out?

  **Answer:** Yes, the manufacturer identified an issue with several of the water service connections. Replacement parts were ordered and installed to fix the recalled service connections.

- **What is the contingency plan to avoid snow storms?**

  **Answer:** The city’s goal is to begin construction early enough in the season so that winter conditions are not a factor with this project.

- **Question:** How much notice will be given for water shutoffs?

  **Answer:** Several days will be provided for planned water shutoffs. For this project, temporary water service will be used and shutdowns are not anticipated once properties are connected to the temporary water service. Residents should be aware that emergency water shutoffs are more likely and there may not be notice for these events.

- **Question:** Can it be requested that utility locators use flags instead of painting landscaping?

  **Answer:** The utility locators follow state regulations for locating their facilities. The city does not have the ability to require the sole use of flags instead of paint. Additionally, paint marks help the contractor locate the utilities during construction.
• Question: How will trash, recycling, and mail service be handled?

  Answer: The city will coordinate with the service providers so they are aware of the project and how access will change during the project. Temporary mail service is not anticipated if the city chooses to line the watermain but temporary mail service will be required if open cut replacement is chosen.

• Question: Is there a preferred option for communication?

  Answer: The city is open to any and all communication methods that are preferred by residents. The city’s current communication method provides construction updates by email, newsletter, doorhangers, and Twitter. City inspectors and engineering staff is also available by phone and email.
Name: 
Address: 
Phone: 
Email: 

Comments: 

Please circle if your property has: 

Irrigation System and/or Pet Containment System

Are you aware of any drainage issues in the neighborhood? If so, please describe where.

City Contact: Phil Olson, Engineering Project Manager
Phone: 952-939-8239
Email: polson@minnetonka.com
Oakland Road Reconstruction
Informational Meeting
December 15, 2015
5:30 p.m., Minnetonka Community Center

Name: ___________________________
Address: _________________________
Phone: ___________________________
Email: ____________________________

Comments:

Fill in easement if possible

Usable if possible

Please circle if your property has:

Irrigation System and/or Pet Containment System

Are you aware of any drainage issues in the neighborhood? If so, please describe where.

City Contact: Phil Olson, Engineering Project Manager
Phone: 952-939-8239
Email: polson@eminnetonka.com
Oakland Road Reconstruction
Informational Meeting
December 15, 2015
5:30 p.m., Minnetonka Community Center

Name: ____________________________
Address: _________________________
Phone: ___________________________
Email: ___________________________

Comments:

Water stands between sidewalk and property

Please circle if your property has:

- Irrigation System
- Pet Containment System

Are you aware of any drainage issues in the neighborhood? If so, please describe where.

City Contact: Phil Olson, Engineering Project Manager
Phone: 952-939-8239
Email: polson@eminnetonka.com
Oakland Road Reconstruction
Informational Meeting
December 15, 2015
5:30 p.m., Minnetonka Community Center

Name: ___________________________
Address: ____________________________________________
Phone: ___________________________
Email: ____________________________________________

Comments: __________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

Please circle if your property has:

Irrigation System and/or Pet Containment System

Are you aware of any drainage issues in the neighborhood? If so, please describe where.
________________________________________________________________________
________________________________________________________________________

City Contact: Phil Olson, Engineering Project Manager
Phone: 952-939-8239
Email: polson@eminnetonka.com
Oakland Road Reconstruction
Informational Meeting
December 15, 2015
5:30 p.m., Minnetonka Community Center

Name: ____________________________
Address: ____________________________
Phone: ____________________________
Email: ____________________________

Comments:

Please circle if your property has:

Irrigation System  and/or  Pet Containment System

Are you aware of any drainage issues in the neighborhood? If so, please describe where.

City Contact: Phil Olson, Engineering Project Manager
Phone: 952-939-8239
Email: polson@eminnetonka.com
Oakland Road Reconstruction
Informational Meeting
December 15, 2015
5:30 p.m., Minnetonka Community Center

Name: ____________________________
Address: __________________________
Phone: ____________________________
Email: ____________________________

Comments: Will the home on Oakland, 2024 hook-up to the service on Oakland, right now it comes thru our back yard out to the street.

Please circle if your property has:

- Irrigation System
- and/or
- Pet Containment System

Are you aware of any drainage issues in the neighborhood? If so, please describe where.

City Contact: Phil Olson, Engineering Project Manager
Phone: 952-939-8239
Email: polson@eminnetonka.com
City Council Agenda Item #14C
Meeting of January 4, 2016

**Brief Description**
Concept Plan for redevelopment of the TCF Bank site at 1801 Plymouth Road

**Action Requested**
Discuss concept plan with the applicant. No formal action required.

**Previous Concept**

In November 2015, TCF Bank and Solomon Real Estate Group requested review of a conceptual redevelopment of the TCF Bank site at 1801 Plymouth Road. The plan contemplated removal of the existing, two-story bank building and construction of two, one-story buildings. The westerly building would be occupied by TCF Bank and the easterly building by a variety of commercial and service tenants. (See pages on A1-A7.)

The city council indicated that it understood TCFs desire to update its presence on Plymouth Road, while responding to the evolving banking industry. However, the council expressed significant concerns regarding the concept’s development intensity and building design. (See pages A8–A12.)

**Revised Concept**

TCF Bank and Solomon Real Estate Group have submitted a revised design concept and are requesting further comment from the council. The building design revises building materials and colors and increases building height and mass in certain areas. The site design removes a parking lot median on the north side of the site. (See pages A14–A18.)

**Staff Comment**

Generally, staff does not present an opinion or recommendation during concept review. However, given the prominent location of the subject property, in this instance, staff feels it is important to comment on the concept. While acknowledging that the existing building and site could benefit from redevelopment, staff has three primary concerns regarding the concept:

1. **Development Intensity.** The Ridgedale Area Vision plan suggests that a property’s proximity to the mall should be reflected in its development intensity/density; the closer a property is to the mall, the higher the intensity/density expectation. The concept represents a significant departure from this vision. Staff recognizes that the size of the site and parking requirements present challenges. Staff also recognizes that improvements to this property will help continue reinvestment in the Ridgedale area, which will in turn assist with implementation of pedestrian connectivity and more cohesive design elements.
(2) Building Design. Though the city does not have specific design standards, the PID ordinance does outline certain building materials quality expectation. While the revised building concept is an improvement over the original concept, staff is not certain that the proposed building design reflects the ordinance expectation. Movement of the drive-through away from the prominent facing corner of the property would assist in the presentation of the building.

(3) Site Design. On several occasions representatives from TCF and Solomon Group have indicated that the site has been designed to require no variances. While this may be true, staff would prefer a site design that makes use of the high visibility at the Plymouth Road/Cartway Lane intersection, provides for an intuitive circulation pattern, and incorporates shared parking. The current concept maintains the existing drive thru lane along the property’s most prominent edge, includes a circuitous vehicle pattern, and segments parking fields. In the event that a formal application is submitted, site design will be a specific focus of staff review.

Staff Recommendation

Staff recommends the council provide comments, feedback, and direction that may lead to the preparation of more detailed development plans.

Through: Geralyn Barone, City Manager
           Julie Wischnack, AICP, Community Development Director

Originator: Susan Thomas, AICP, Principal Planner
ADDITIONAL INFORMATION

Next Steps

- **Formal Application.** If the developer chooses to file a formal application, notification of the application would be mailed to area property owners. Property owners are encouraged to view plans and provide feedback via the city’s website. Through recent website updates: (1) staff can provide residents with ongoing project updates, (2) residents can “follow” projects they are particularly interested in by signing up for automatic notification of project updates; (3) residents may provide project feedback on project; and (4) and staff can review resident comments.

- **Council Introduction.** The proposal would be introduced at a city council meeting. At that time, the council would be provided another opportunity to review the issues identified during the initial Concept Plan Review meeting, and to provide direction about any refinements or additional issues they wish to be researched, and for which staff recommendations should be prepared.

- **Planning Commission Review.** The planning commission would hold an official public hearing for the development review and would subsequently recommend action to the city council.

- **City Council Action.** Based on input from the planning commission, professional staff and general public, the city council would take final action.

Roles and Responsibilities

- **Applicants.** Applicants are responsible for providing clear, complete and timely information throughout the review process. They are expected to be accessible to both the city and to the public, and to respect the integrity of the public process.

- **Public.** Neighbors and the general public will be encouraged and enabled to participate in the review process to the extent they are interested. However, effective public participation involves shared responsibilities. While the city has an obligation to provide information and feedback opportunities, interested residents are expected to accept the responsibility to educate themselves about the project and review process, to provide constructive, timely and germane feedback, and to stay informed and involved throughout the entire process.

- **Planning Commission.** The planning commission hosts the primary forum for public input and provides clear and definitive recommendations to the city council. To serve in that role, the commission identifies and attempts to resolve development issues and concerns prior to the council’s consideration by carefully balancing the interests of applicants, neighbors, and the general public.
• **City Council.** As the ultimate decision maker, the city council must be in a position to equitably and consistently weigh all input from their staff, the general public, planning commissioners, applicants and other advisors. Accordingly, council members traditionally keep an open mind until all the facts are received. The council ensures that residents have an opportunity to effectively participate in the process.

• **City Staff.** City staff is neither an advocate for the public nor the applicant. Rather, staff provides professional advice and recommendations to all interested parties, including the city council, planning commission, applicant and residents. Staff advocates for its professional position, not a project. Staff recommendations consider neighborhood concerns, but necessarily reflect professional standards, legal requirements and broader community interests.
PREVIOUS 2015 CONCEPT
of the campus about traffic patterns, noise and other issues. As part of the process for this application, there was a new traffic study conducted. Most importantly a new site management plan was developed. The plan includes standards and if there are problems along the way, the neighbors can work with the school district to resolve the problems. He said there were many potential deal breakers with the project. The youth association, the school district, and the city all tried to make it work and everyone worked well together.

Schneider said the evolution of a continually better dialogue and more communication with the school district in understanding the needs and concerns was a good step forward in the right direction. When the item first was presented to the council as another large building on the south side of the Pagel Center, he looked at the topography and didn’t think it would work. He said the use was very creative and he commended the designer and architect. He was very supportive increasing youth activity and having a continuing positive relationship with the school district.

Bergstedt moved, Wiersum seconded a motion to adopt resolution 2015-120 approving the conditional use permit and resolution 2015-121 approving final site and building plans. All voted “yes.” Motion carried.

Schneider called a recess at 8:03 p.m.

Schneider called the meeting back to order at 8:12 p.m.

C. Concept Plan for redevelopment of the TCF Bank site at 1801 Plymouth Road

Thomas gave the staff report.

Ellingson said it seemed to him the location was so prominent that there should be more going on than what was in this concept plan. During the Highland Bank discussion, it was suggested that because it was a high density development other redevelopments in the area would have a lower density. He thought that concept related more to the redevelopments closer to the residential neighborhood. He said this was the most prominent intersection on this side of Ridgedale.

Wiersum said the site was a retail bank with the current bank having more things going on in a bigger building. He asked what the expectation was from a traffic perspective with a smaller footprint than currently exists. One of his concerns was if there was single level retail on the other part of the parcel, and a smaller footprint bank with the same amount of traffic, traffic could double relative to what currently exists.
Wagner said he attended the neighborhood meeting. He had a conversation about a year ago with the developer about some of the concerns Ellingson raised. He noted this was a pretty small site. The site would be challenging to redevelop for anything larger than what was in the concept plan.

Steve Johnson with Solomon Real Estate said the site was small, about an acre and a quarter. TCF owns the entire site. The plan was for a lot split with his company owning their portion and TCF retaining ownership of their portion. He said this was one of TCF’s more prominent banks. TCF was only willing to work with the plan with the understanding that they would retain ownership and have a free standing building on their property. This left his company with less than three quarters of an acre to work a retail development on to. The optimal way to go would be to blend all three neighboring parcels into a development but currently there are three banks, TCF, US Bank, and Wells Fargo, wishing to own their own real estate.

Johnson said he met with a neighborhood group. The group indicated what it wanted to see was a sidewalk, not having any additional drive thru’s other than what was allowed for with the bank, and not wanting a Highland Bank type project. Originally the plan had more retail but it was scaled back. The current plan includes 5,400 square feet of retail which would meet the city requirements for parking and setbacks. A sidewalk would be wrapped from property corner to property corner. Pedestrian access into the site was part of the plan. The streetscaping would match what was being done with Highland Bank to provide for a contiguous look.

Mike Kraft, the architect for TCF Bank, said when the building was constructed at 12,000 square feet 40 years ago, there was a volume of traffic that grew for 20 years and has been on the decline for the past 15 years. The decrease in traffic coming to the building was due to what is happening to the industry. He said in many ways the building was being right-sized to accommodate the projected traffic. If the traffic increases due to the retail building, it won’t increase anywhere near the capacity that it was in the past. A lot of attention has been given in the plan to make sure the site was easy to move around in both for vehicles and pedestrians.

Allendorf asked what the existing use was for the second floor of the building. Kraft said over the past years there have been multiple functions all office related. Allendorf asked if Kraft had ever been asked to look at the skin of the existing building to upgrade it. Kraft said that was not one of the challenges he’s been faced with. TCF has equity in the brand. People
know they are pulling up to a TCF building by its look. Allendorf said the new design doesn't say TCF to him at all. Kraft noted the columns were removed. One of the things that was attempted in retaining the brand was maintaining the brick and white pre-finished metal. Allendorf said the design looked plastic and didn't indicate banking to him. He said he didn't like the building as it was shown in the concept plan. Putting in another one story retail building seemed like an attempt to do something out of the ordinary because the land was there. He would prefer to see a park instead of the retail building. A smaller TCF building and a retail building did nothing for him.

Schneider asked Kraft to provide more information about the building prototype and how wedded TCF was to the design and where else it was being implemented. Kraft said the banking industry was in an evolution for the past 15 years, and a revolution since 2008. This resulted in fewer staff being able to do more things by being better trained, and allowed creating spaces that are smaller. This had a lot to do with creating a bank for the next generation of bank customers. The concept was about maximizing convenience for various needs. The building design parallels the launching of the new brand which happened earlier in the year. He said this location would be the first for the building design with two others that are being developed as well. He said one of the things commented on most was the use of the color red. A question was asked at the planning commission hearing if there was any wiggle room with the use of red and the answer was yes. He noted one difference between the TCF building and many small retail buildings was the bank building would use the highest quality materials. The building would be used for generations not just for the short term.

Schneider said he was struggling with how to comment on the concept plan. The city had long been very much a free market community unlike other metro cities, which have much more restrictive design standards. Minnetonka relies on quality developers to do a first class job. The council also had a culture of making sure to be objective, fair and not trying to pre-judge projects. As a registered architect he understood that taste was in the eye of the beholder. He said he had to be frank and his comments were meant to be constructive criticism to take back to TCF. When he opened the packet and saw the look of the building, he actually cringed. He showed the design to a number of people to get their feedback. Well over half also cringed. Part of it was the use of red. Several thought the building was a contemporary Kentucky Fried Chicken. That was the type of response the design was evoking. He said the design was not the kind of character, sophistication and quality that was highlighted in the premium corner of the Ridgedale area. He admitted everyone he showed the design to was over 45 years old. The building would definitely get
noticed but he wasn’t sure it would be noticed in a positive way. For the premium corner in the area, Nordstroms and other buildings were getting to a higher class of design. To have something that a number of people thought was a contemporary KFC gave him real heartburn. He noted this was the first time he had been critical of a design during his tenure on the council.

Kraft said he appreciated Schneider’s candor.

Wiersum said the first time he noticed the new TCF logo was on the office building near Hopkins Crossroad. His wife questioned if the TCF was actually a Twin City Federal or another business using that acronym. He understood banking was fundamentally changed and that these changes were driving the desire for a smaller footprint. This was probably a credible solution to the banking of tomorrow but the challenge for him was this was a premier location in the city, and taking a small parcel and cutting it in half with a building design that had a fast food aspect to it. The challenge was the contrast between the scale for what was needed there for TCF versus the scale of what the city envisioned for the area.

Bergstedt said he didn’t cringe when he saw the picture but instead his reaction was it was an interesting concept combining a bank with a fast food restaurant. Then he read the staff report and saw that was not the concept. He agreed he would have some reservation about the building design for any location in the city but particularly for this premier location. He said last year the council discussed the Highland Bank redevelopment and it was a contentious project. One of the biggest issues was the building height. One of driving reasons for his vote for approval was the city had a vision of what it would like to see in the Ridgedale area. This included increased density, adding higher buildings but adding them as far away from the residential neighborhood as possible. Now this concept plan for a premier property was to take down a two story building and putting up two one story buildings. This just didn’t feel right. This concerned him especially coming on the heels of the Highland Bank project.

Schneider said the real challenge was the city’s regulation didn’t clearly state what could or could not be done. The property was zoned and guided commercial. It was about finding the right cooperative long term solution that everyone could be proud of. This would take some work.

Wagner said his thoughts were similar to Schneider’s. When thinking about where higher density would go in the city it was on this side with a hotel because the city was underserved by the hotel market particularly the caliber needed given the corporate headquarters in the area. There
currently was no property for this to occur. He agreed TCF could probably move ahead with what was in the concept plan because there was no ordinance prohibiting splitting the lot. He felt having more lots long term was worse for the city than having fewer lots. Looking at the one acre property, he didn't think the use was the best use, but at the end of the day the city did not own the property.

Allendorf said he didn't think splitting the property and putting two one story buildings on it was consistent with what the residents want or what the property deserves. The reason he mentioned putting a park on the property was at least it was something people could understand. He could understand TCF wanting to upgrade the existing building but he could not understand two one story buildings.

D. Professional services agreement for the Shady Oak Site Redevelopment Study

Wischnack gave the staff report.

Wagner said he supported the agreement.

Acomb said she had some concern with engagement given the upcoming holidays. She was happy to see inclusion of the development roundtable that had been beneficial in the past.

Bergstedt said the schedule was aggressive but he hoped it was a schedule that could be kept to. While he was comfortable with the decision to purchase the property, he was uncomfortable with the city being a landlord for any longer than necessary.

Schneider said the primary peak time was when somebody breaks ground for the light rail. He thought the consultant and the engagement process were good. His only reservation was ensuring there was heavy emphasis that due diligence was done to determine what the right market was.

Allendorf agreed with Bergstedt's comments. He said staff had learned that being a landlord meant much more than hiring a property management company. He said the city should have some idea of what the value of the property should be to the city. The tendency would be to look at a development on paper and go out to the development community who knew the city owns the property, and therefore wouldn't necessarily bid the highest price. He said the city should determine the value and let the development community know that this was what the city believed the market value for the property was, and stick to the value.
CURRENT 2016 CONCEPT
NORTHWEST PERSPECTIVE - OPTION 6Cr
TCF BANK RUIDGEDALE
DEC 15, 2015
RIDGEDALE RETAIL SITE
Minnetonka, MN
29 October 2015

TCF Bank
Concept Plan
1801 Plymouth Road
ORIGINAL CONCEPT

REVISED CONCEPT