Planning Commission Agenda

Nov. 1, 2018 – 6:30 P.M.

City Council Chambers – Minnetonka Community Center

1. Call to Order
2. Roll Call
3. Approval of Agenda
4. Approval of Minutes: Oct. 18, 2018
5. Report from Staff
6. Report from Planning Commission Members
7. Public Hearings: Consent Agenda
   A. Resolution approving a front yard setback variance for construction of a garage addition at 4425 Tonkawood Rd.
      Recommendation: Adopt the resolution approving the request (5 votes)
      • Final Decision Subject to Appeal
      • Project Planner: Drew Ingvalson
8. Public Hearings: Non-Consent Agenda Items
   A. Items concerning The Mariner at 10400, 10500 and 10550 Bren Rd. E.: rezoning, master development plan, final site and building plans, and preliminary and final plats.
      Recommendation: Recommend the city council approve the proposal (4 votes)
      • Recommendation to City Council (Date: Nov.26, 2018)
      • Project Planner: Susan Thomas
9. Adjournment
Notices

1. Please call the planning division at (952) 939-8290 to confirm meeting dates as they are tentative and subject to change.

2. Applications and items scheduled for the Nov. 15, 2018 planning commission meeting:

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<tr>
<th>Project Description</th>
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<tr>
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<tr>
<th>Project Description</th>
<th>Marsh Run Redevelopment, a 168 unit apartment building</th>
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<th>Project Description</th>
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<th>Schleper Residence, an expansion permit for a new home</th>
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WELCOME TO THE MINNETONKA PLANNING COMMISSION MEETING

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

1. The chairperson of the meeting will announce the item to be reviewed and ask for the staff report on the subject.

2. Staff presents their report on the item.

3. The commission will then ask city staff questions about the proposal.

4. The chairperson will then ask if the applicant wishes to comment.

5. The chairperson will open the public hearing to give an opportunity to anyone present to comment on the proposal.

6. This is the time for the public to make comments or ask questions about the proposal. Please step up to the podium, speak clearly, first giving your name (spelling your last name) and address and then your comments.

7. At larger public hearings, the chair will encourage speakers, including the applicant, to limit their time at the podium to about 8 minutes so everyone has time to speak at least once. Neighborhood representatives will be given more time. Once everyone has spoken, the chair may allow speakers to return for additional comments.

8. After everyone in the audience wishing to speak has given his or her comments, the chairperson will close the public hearing portion of the meeting.

9. The commission will then discuss the proposal. No further public comments are allowed.

10. The commission will then make its recommendation or decision.

11. Final decisions by the planning commission may be appealed to the city council. Appeals must be written and filed with the planning department within 10 days of the planning commission meeting.

It is possible that a quorum of members of the city council may be present. However, no meeting of the city council will be convened and no action will be taken by the city council.
1. **Call to Order**

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

2. **Roll Call**

Commissioners Powers, Sewall, Hanson, Henry, and Kirk were present. Knight was absent.

Staff members present: Community Development Director Julie Wischnack, City Planner Loren Gordon, Assistant City Planner Susan Thomas, Senior Planner Ashley Cauley and Planner Drew Ingvalson.

3. **Approval of Agenda**

*Sewall moved, second by Hanson, to approve the agenda as submitted with a modification and additional comments provided in the change memo dated Oct. 18, 2018.***

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

4. **Approval of Minutes:** Sept. 20, 2018

*Powers moved, second by Hanson, to approve the Sept. 20, 2018 meeting minutes as submitted.*

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

5. **Report from Staff**

Gordon briefed the commission on land use applications considered by the city council at its meeting of Oct. 8, 2018:

- Introduced an ordinance repealing and replacing the sign ordinance and referred it to the planning commission.
- Tabled action regarding a five-lot subdivision, Villas of Glen Lake, on Eden Prairie Road.
- Reviewed a concept plan for Marsh Run Two on Wayzata Blvd.

Gordon invited commissioners to review and provide comments on the proposed comprehensive guide plan by clicking links found on eminnetonka.com.
The planning commission meeting scheduled for Nov. 29, 2018 will hold a public hearing for the 2040 comprehensive guide plan.

The Dec. 13, 2018 planning commission meeting is being moved to Dec. 6, 2018 to allow items requiring action by the city council to be reviewed before the end of 2018.

6. **Report from Planning Commission Members**

Sewall thanked city staff for hosting Rock at Ridgedale. He and his family enjoyed the event.

7. **Public Hearings: Consent Agenda**

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

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

- **A. Resolution approving an aggregate side yard setback variance for construction of a new home at 13228 Orchard Road.**

  Adopt the resolution approving the aggregate side yard setback variance for a new home at 13228 Orchard Road.

  *Powers, Sewall, Hanson, Henry, and Kirk voted yes. Knight was absent. Motion carried and the item on the consent agenda was approved as submitted.*

8. **Public Hearings**

- **A. Resolution approving a conditional use permit for a licensed daycare facility at 12301 Whitewater 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.

  Anna Newell, representing the applicant, the French Academy, stated that she appreciated the commission’s consideration. The director of The French Academy stated that the program is wonderful and would benefit the city of Minnetonka.

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

  Powers questioned why the outdoor recreation area would not be larger. Thomas explained that the city has no minimum or maximum size requirement for an outdoor play area. The state may have a size requirements. The proposal also includes an
indoor play area. The director explained that the applicant currently operates out of Cedar Manor Elementary. The center is licensed by the state as a daycare center. There is a requirement for the playground to be 1,500 square feet. The playground would be 1,500 square feet. Not all of the children would be outside at the same time. There would be a maximum of 20 children on the playground at the same time. The children would not be old enough to be further away from the employees.

*Sewall moved, second by Powers, to recommend that the city council adopt the resolution approving a conditional use permit for a licensed daycare facility at 12301 Whitewater Drive.*

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

Chair Kirk stated that this item is tentatively scheduled to be reviewed by the city council Nov. 5, 2018.

**B. Resolution denying a front yard setback variance to construct a screened porch and covered porch at 2300 Ford Road.**

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

Ingvalson reported. He recommended denial of the application based on the findings listed in the staff report.

Sewall confirmed with Ingvalson that staff would recommend approval of the porch if it would not be screened and meet setback requirements.

Henry asked if a screen would be considered enclosed. Ingvalson answered in the affirmative.

Duane Myers, representing the homeowner, stated that he lives in the neighborhood. He is replacing the windows and siding now. He did not calculate the front setback correctly. The stairs were extended to get around a large tree. The situation is unique. The front door is seven and a half feet from the ground. The lot is narrow from front to back. The grade extends above the house in the back. There is a deck in the back. The proposal would make the property look better and would not require maintenance. The proposal is the best option. He requested that the proposal be approved. It would look and work better than any other option.

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

Chair Kirk understood the need to encroach into the 30-foot front setback to have enough room to open the door, but saw no reason to allow the porch to be enclosed. He thought a setback variance shorter than four feet might be reasonable.
Sewall thought a compromise would be to not enclose the porch. Ingvalson stated that the proposal would still not meet ordinance requirements since the front setback would be 30 feet instead of the required 35 feet.

Henry asked what other plans had been considered. Mr. Myers stated that he and the homeowner met with staff and discussed options. The homeowner does not want stairs parallel to the front of the house. The stairs would be by a window. She would prefer a screened area. The last step should be at least three feet wide.

Chair Kirk would consider a covered porch, but not enclosed, eight feet deep that would require a two-foot or three-foot variance with stairs that would be designed to save the tree. Enclosing the space within the front yard setback would not be reasonable, but eight feet would be needed to approach the front door safely and a two-foot front-yard-setback variance would be reasonable in this case.

Hanson moved, second by Henry, to adopt a resolution denying a variance to construct a screened and covered porch, but approve a two-foot front yard setback variance to allow a covered, but not enclosed, porch addition on the single-family house at 2300 Ford Road with the modification provided in the change memorandum dated Oct. 18, 2018.

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

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

C. Resolution approving final site and building plans for a restaurant at 11390 Wayzata Blvd.

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

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

James Powell, site development manager for the applicant, stated that he was available to answer questions. Constructing a new building would work better than remodeling the existing building and would break some of the stigma of the two previous failed restaurants at that location.

Powers thought the view from the north side would not be very attractive. He asked if the north side of the building could be aesthetically enhanced. Mr. Powell said that the elevation did not show the enclosure as shown on the site plan. The stone finish would enclose the area. Trellises could be added to dress it up.

Henry asked if there would be outdoor seating. Mr. Powell stated that the Olive Garden typically does not do well with outdoor patios, so the standard practice is not to have an
outdoor eating area. Construction would start in the spring and take four months to complete.

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

**Powers moved, second by Henry, to adopt the resolution approving site and building plans for the construction of a new restaurant at 11390 Wayzata Blvd.**

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

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

9. **Other Business**

A. **Concept plan review for Highcroft Meadows at 14410 Orchard Road.**

Chair Kirk introduced the proposal and called for the staff report. Staff recommends that commissioners provide comments and feedback on the identified key issues and any other issues commissioners deem appropriate.

Thomas provided the staff report.

Rick Dunum, representing the applicant, thanked staff and commissioners for the opportunity to present a concept plan. He stated that:

- The property has been a horse farm for 50 years. The family is ready to sell the land and it will be developed. He understood neighbors’ concerns with change.
- The applicant is a luxury home builder that cares about the architecture.
- Neighbors have expressed concern with density, traffic, drainage and stormwater runoff, screening, safety on Orchard Road, and loss of power issues occurring near the site now.
- A quarter of the site would be left naturally wooded. Seven or eight of the houses would be on grade. There would be no two-story houses. The proposed houses would be geared for the empty-nest market.
- The empty-nest buyer makes fewer trips.
- Lots west of the site have a current drainage problem. He has a good idea of how to manage the drainage on the property. Additional trees would be added to provide screening.
- The status of the current utilities would have to be addressed by the city.
- The property is unique.
- He would appreciate feedback.
Powers asked what he meant by an “architecturally principled” house. Mr. Dunum provided illustrations of houses with attractive exterior details.

In response to Sewall’s questions, Mr. Dunum stated that the price of the houses would be approximately $650,000 to $850,000. The dimensions of the property dictate where the road would be located. The proposal is the best use of the site. He estimated 50 percent of the buyers would travel south for the winter months. He provided illustrations of the interiors. He was amenable to adding a trail to the natural area, but did not know if the city would prefer one or not.

Chair Kirk invited those present to provide comments.

Trish Gardiner, 14409 Orchard Road, stated that:

- Her neighbors were welcoming when she moved in and they do activities together.
- The proposal would look like an urban city street of row houses that would not fit in Minnetonka.
- She wants the R-1 Single Family Residential Zoning District standards to be upheld.
- She is not against development.
- Of the 6.2 acres, only 4 acres of the parcel would be buildable. Building 19 houses on 4 acres of land would not fit the character of the neighborhood.
- The only good argument for density is the developer’s profit margin. Higher density does not make sense for her neighborhood.

Beth Desmond, 14306 Orchard Road, stated that:

- She is concerned with the proposal’s density.
- She provided an illustration showing the surrounding lots. Building 5 houses on one acre would not fit with the land use plan. Each of the surrounding properties average a house on .7 acres.
- A 3,100 square-foot house would be larger than most houses in the neighborhood.
- She wondered if the proposal would alter the character of the neighborhood irreparably.
- She provided a plan with 8 houses on 4.2 acres.
- She would like connecting to the other street explored.
- She would like construction traffic to access the site from the Williston Fitness Center. Orchard Road is not built for this type of activity.
- She appreciated the 1.5-story roof lines.
- City sewer would be best.
- She did not want fountains or a development name on a granite plaque.

Ravindra Chintapalli, 3711 West Mark Drive, stated that:
• He agreed with his neighbors.
• He opposed rezoning the property from R-1 to R-3 or R-4.
• He is for developing the property compliant with the 2030 comprehensive guide plan.

Alan Stone, 13508 Orchard Road, stated that:

• Minnetonka is known for large lots. These lots would not fit. He did not like them jammed together.

Marcine Purinton, 3706 Westmark Circle, stated that:

• It is unsafe to drive a vehicle or walk on Orchard Road. She is concerned with the safety of children.

Janet Larson, Westmark Drive, stated that:

• Her twin home provides a buffer.
• The proposal would be very dense.
• A 55 and older community should have more amenities.
• The property needs to be developed.
• She wants the development to flow with the existing neighborhood.
• The neighborhood is static and fixed.

Jamie Cyson, 3601 Sunrise Drive West, stated that:

• She was concerned with the construction.
• She preferred a development that would fit the neighborhood.
• She was concerned how the proposal would impact her taxes.
• She concurred with the other speakers.

Padma Chintapolli, 3711 Westmark Drive, stated that:

• She concurred with the other speakers.
• Orchard Road is steep where it meets Williston Road.

Jean Florek, 14208 Orchard Road, stated that:

• She agreed with the other speakers.
• Traffic on the road is dangerous.
• She was notified two weeks before the public hearing.
• Buyers would not pay $700,000 to live 5 feet from neighbors.
• The developer wants the money from association fees.
• She questioned who would run the association and what would happen if the properties looked bad.
• She did not know who would pay the taxes.
• She did not like the houses.
• Her biggest concern is the safety of the children. One child has to cross the street to catch the bus.

Shannon Paradis, 3610 Sunrise Drive, stated that:
• She represented another neighbor who was unable to attend. The parking at Williston Fitness Center is horrendous in the winter. There needs to be more parking added.
• She would like a sidewalk added the length of Orchard Road.
• If there is an endangered species living on the property, then she would like that species protected.

Brent Eggert, 3630 Sunrise Drive East, stated that:
• He asked if a tax increment financing district would be created.
• The proposal would create a different aesthetic. He would like research of what would happen to the neighborhood when something like this has happened in the past.
• He questioned what would happen to the property values and taxes.
• He questioned if construction would happen on Saturday mornings.
• He questioned what amenities like a sidewalk could be added.

Kara Celt, 14116 Orchard Road, stated that:
• She questioned if adding 19 houses would be an option the city would allow. The lots would not meet the minimum lot size requirement of 22,000 square feet.
• She was concerned with lack of parking. Orchard Road is treacherous to park and walk on.
• Drivers travel too fast to the junior high.
• There would be 36 more vehicle trips each day.
• She agreed with the issues with the density. Nineteen houses would be too many.

Greg Raetz, 14523 Orchard Road, stated that:
• One of his primary reasons to move here was the character of the neighborhood and lot sizes.
• He was concerned that the character of the neighborhood would change.
• It could set a precedence for future developments to change the density and get variances for setbacks.
Ron Peterson, 14615 Orchard Road, stated that:

- He built here because Minnetonka has a half-acre lot requirement.
- It does not make sense to create comprehensive guide plans and then change the zoning.

Karl Johnson, 3621 Sunrise Drive West, stated that:

- The character of the neighborhood is large lots and privacy.
- He thought a horse fence would be an insult rather than a concession.

Dale Thielen, 14309 Orchard Road, stated that:

- He agreed with the other comments. He was concerned that his quality of life, safety, and property value would not be protected.
- The proposal would not fit the character of the neighborhood.
- He was not against development, but for the right development.

Alan Lachinsky, 3705 Westmark Drive, stated that:

- Nineteen houses would be too many.
- He was concerned with water runoff. It runs through his backyard to a drainage pond.
- He suggested commissioners stand on Orchard Road and look at the property.

Meagan Gustafson, 14320 Orchard Road, stated that:

- It would be better to construct houses for families.

Chair Kirk concluded taking public comments. He asked staff to address the comments.

Thomas explained that:

- State statute does not allow tax increment financing for this type of development.
- The city assessor has found that a single-family residential neighborhood being constructed next to single-family residential neighborhoods does not decrease property values.
- The city has no authority over associations. An association is governed by a private, legal agreement between property owners.
- A property may stay vacant indefinitely. There is no specific construction start date requirement. Once a building permit is issued, then progress must be made within a certain time line for the building permit to remain valid.
• This proposal would not trigger a requirement for an environmental assessment worksheet to be completed. The city’s natural resources and engineering staff would review and be required to approve the proposal.

• Construction hours allowed by city ordinance are from 7 a.m. to 10 p.m.

• A stormwater management plan would be required to show that the rate, volume, and quality of runoff would not be made worse than predevelopment conditions.

• The comprehensive guide plan gives land use intensity and density designations for industrial, commercial, office, and residential uses. It defines “low density residential” as four or fewer residential units per acre. The proposal would meet the low density residential definition in the comprehensive guide plan and have four or fewer units per acre. High density is defined as 12 or more units per acre. The zoning designation provides more details. The city would be legally required to approve a proposal that would meet all of the R-1 low density residential zoning requirements. The proposal’s number of units would not fit low-density residential zoning requirements. A property owner has the right to request a rezoning and the city has the authority to rezone properties.

• When the city considers a rezoning, it has the ability to negotiate for public improvements such as a sidewalk. Sidewalks improve pedestrian safety, but the benefit is weighed against the amount of additional grading and potential increase in tree removal it would cause.

Henry asked how many houses that would meet R-1 requirements would fit on the site. Thomas answered that it would depend on the steep slope and lot size, depth, and width requirements.

Powers stated that the proposal would be too big and create a neighborhood inside a neighborhood. The proposal would change the character of the neighborhood significantly. The developer is a good developer. He did not like the configuration.

Henry thought the proposal would be too dense for the neighborhood. There is room for compromise to make it a little higher density than R-1 requirements. It would fundamentally alter the culture of the neighborhood and create a neighborhood inside a neighborhood. There is a better way to connect the site with the existing neighborhood. He was concerned with a lack of visitor parking.

Hanson concurred. The proposal would have too many houses. He has seen houses done by the developer and they are very nice. He was concerned with a lack of visitor parking.

Sewall liked the concept of this type of housing, but 19 would be too many houses for the site. There is a compromise to me made that would make this a good project. He liked the design of the houses. He would like more creativity with the landscaping and natural features.
Chair Kirk agreed that 19 houses would be too many for the site. He would like to understand the steep slope restrictions and tree preservation area proposed on the north side of the property. He was not concerned with a neighborhood within a neighborhood. Westmark Circle is a great example of a neighborhood within a neighborhood that now fits into the neighborhood. Westmark Circle has 12 units or 13 units if the unit on the corner is included. The length of the proposed drive and cul-de-sac would be similar. He struggled with the PUD zoning. It would be difficult to have more density than R-1a restrictions would allow. There should be a buffer on the side of the houses on Orchard Road. When the shadow of one house overcasts another house, then that is a sign to him that the houses would be too close. He liked pairing up the houses and consolidating the driveways to allow greater open frontage, specifically for parking. He would appreciate a rendering showing on-street parking. Parking on Orchard Road is dangerous.

Hanson was not concerned with the site being a neighborhood in a neighborhood.

Powers clarified that architectural design would make the proposed houses a neighborhood within a neighborhood.

Gordon noted that a cul-de-sac on its own would not qualify as being exclusive. A gated community with a monument sign would designate a separate neighborhood. The housing market, value of the property, and housing demand is driving the need for smaller lots and new houses.

Sewall pointed out that this is the concept plan review, not review of a formal application.

Thomas stated that the project is titled “Highcroft Meadows” and can be followed on the city’s website: eminnetonka.com. The site will be updated with new plans as staff receives them. Emails submitted to planning staff by Oct. 30, 2018 will be included in the city council packet for the next review of the concept plan scheduled for Nov. 5, 2018.

Powers left the meeting.

D. Ordinance repealing and replacing City Code 325, Sign Regulations.

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

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

Chair Kirk asked when the proposed sign ordinance changes would take effect. Thomas explained that if the city council approves the change, then it would become effective on the date of publication which would be Nov. 15, 2018.

Sewall asked why the feather signs would no longer be allowed. Ingvalson said that staff receives complaints regarding the appearance of those signs, they are hard to read, and
they are unattractive. Thomas added that the feather signs did not exist when the sign ordinance was created.

Sewall supports staff’s recommendation. The changes would make the sign ordinance consistent with the planning commission’s variance approvals.

Henry confirmed with Ingvalson that temporary signs must be located five feet away from the curb of a paved street.

Thomas noted that residents who live on county roads must follow sign rules set by the county.

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

_Hanson moved, second by Sewall, to recommend that the city council adopt the attached ordinance._

_Sewall, Hanson, Henry, and Kirk voted yes. Knight and Powers were absent. Motion carried._

The city council is scheduled to review this item at its meeting on Nov. 5, 2018.

10. Adjournment

_Sewall moved, second by Henry, to adjourn the meeting at 10 p.m. Motion carried unanimously._

By:

__________________________
Lois T. Mason
Planning Secretary
MINNETONKA PLANNING COMMISSION
November 1, 2018

Brief Description
Expansion permit request to allow construction of an attached garage addition at 4425 Tonkawood Road

Recommendation
Adopt the resolution approving the request

Proposal
Sumner Jones and Carrie Buss are proposing to construct a 370 square foot attached garage addition. The proposed attached garage addition would maintain the setback of the existing non-conforming garage, but would encroach into the required front yard setback. (See attached.)

Proposal requirements:
This proposal requires:

- Expansion Permit: Principal structure encroaching into the required front yard setback.

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<td>31.8 ft.</td>
<td>32.1 ft.*</td>
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* requires expansion permit

Staff Analysis
Staff finds that the applicant’s proposal is reasonable:

1. Reasonableness:

   The request to expand the existing garage is reasonable as:

   - The proposed addition would maintain the same setback as the existing structure;
   
   - The proposed structure would appear to meet the setback requirement as it would be located over 50 feet from the curb of the road;
   
   - The proposed structure would enhance the existing single-family home.

2. Neighborhood Character:

   The area has several properties that are non-conforming due to the early platting of the land (1964) and the construction of homes predating city ordinance. Based on aerial images and review of the area, it appears that 12 structures within 1,000 feet of the subject property on Tonkawood Rd. encroach into the required front yard setback. In addition, the city has approved three variance requests within this area for a front
yard setbacks. As such, approving the requested expansion permit to construct an attached garage addition would not alter the essential character of the neighborhood. (See attached).

3. Circumstance Unique to the Property:

The existing non-conformity of the subject home and attached garage are unique characteristics of the property.

The subject home and attached garage were originally constructed in 1964. The structure is located 31.8 feet from the front property line. The proposed garage addition would maintain the structures non-conforming property line setback.

The Tonkawood Rd. right-of-way creates a 22-foot separation between the curb of the road and the property’s front property line. Due to this circumstance, the proposed attached garage addition is located closer to the front property line than would be expected based on the location of the road. As proposed, the curb of Tonkawood Rd. would be located nearly 55 feet from the proposed attached garage addition at the closest point. (See attached.)

**Staff Recommendation**

Adopt the attached resolution approving a front yard setback expansion permit to construct an attached garage addition at 4425 Tonkawood Rd.

Originator: Drew Ingvalson, Planner
Through: Loren Gordon, AICP, City Planner
### Supporting Information

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<tr>
<th>Description</th>
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<tr>
<td>Project No.</td>
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<td>Property</td>
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<td>Applicant</td>
<td>Sumner Jones and Carrie Buss</td>
</tr>
<tr>
<td>Surrounding Land Uses</td>
<td>All properties to the north, east, west and south are zoned R-1, guided for low density residential, and improved with single family homes.</td>
</tr>
<tr>
<td>Planning</td>
<td>Guide Plan designation: low density residential</td>
</tr>
<tr>
<td></td>
<td>Zoning: R-1</td>
</tr>
<tr>
<td>Site Features</td>
<td>The subject property was platted in its current configuration in 1964; it is 23,000 square feet in size. The property is improved with a 2,014 square foot, two-story home that was originally constructed in 1965. The existing home encroaches into the 50-foot front yard setback, but meets all other setback requirements. (See attached.)</td>
</tr>
<tr>
<td>Front Yard Setback</td>
<td>Typically, residential properties are located on local or neighborhood collector streets. Structures on these properties must be setback at least 35 feet from the front property line, or public right-of-way. However, some properties within the city are located adjacent to right-of-ways of major collector or arterial roadways, such as Tonkawood Rd. Because these roads are busier and noisier than local or neighborhood streets, city code requires a 50-foot setback for structures.</td>
</tr>
<tr>
<td>Expansion Permits and Variances</td>
<td>An expansion permit is required for an expansion of a non-conforming structure when that expansion maintains the same setbacks as the existing non-conformity. By definition, a non-conforming structure is one that is not in full compliance with the regulations of the ordinance and either: (1) was legally established before the effective date of the ordinance provision with which it does not comply; or (2) became non-conforming because of other governmental action, such as a court order or a taking by a governmental body under eminent domain or negotiated sale. The proposed addition qualifies for an expansion permit as the home was originally constructed prior to the adoption of city ordinance and the proposed addition would not encroach farther into the front yard setback than the existing structure.</td>
</tr>
<tr>
<td>Non-conforming Properties</td>
<td>There are several properties within 1,000 feet of the subject property on Tonkawood Rd. that do not conform to the required front yard setback due to homes being constructed prior to the adoption of city ordinance. Specifically, there are 12 homes with non-conforming front</td>
</tr>
</tbody>
</table>
yard setbacks within this area, based on aerial photography. In addition, the city has approved three front yard setback variances within this area. (See attached.)

Pyramid of Discretion

Natural Resources  Best management practices must be followed during the course of site preparation and construction activities. This would include installation and maintenance erosion control fencing.

Motion Options  The planning commission has three options:

1. Concur with staff’s recommendation. In this case a motion should be made approving the variance.

2. Disagree with staff’s recommendation. In this case a motion should be made denying the variance. This motion must include a statement as to why the request is denied.

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

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

Appeals  Any person aggrieved by the planning commission’s decision about the requested variances may appeal such decision to the city council. A written appeal must be submitted to the planning staff within ten days of the date of the decision.

Neighborhood Comments  The city sent notices to 43 area property owners and has received no comments.
Deadline for Decision

November 30, 2018
Location Map

Project: Jones/Buss Residence
Address: 4425 Tonkawood Rd
LEGAL DESCRIPTION:
Lot 1, Block 5, Thrushwood 2nd Addition, Hennepin County, Minnesota.

SCOPE OF WORK & LIMITATIONS:
1. Showing the length and direction of boundary lines of the legal description listed above. The scope of our services does not include determining what you own, which is a legal matter. Please check the legal description with your records or consult with competent legal counsel, if necessary, to make sure that it is correct and that any matters of record, such as easements, that you wish to be included on the survey have been shown.
2. Showing the location of observed existing improvements we deem necessary for the survey.
3. Setting survey markers or verifying existing survey markers to establish the corners of the property.
4. Existing building dimensions and setbacks measured to outside of siding or stucco.
5. This survey has been completed without the benefit of a current title commitment. There may be existing easements or other encumbrances that would be revealed by a current title commitment. Therefore, this survey does not purport to show any easements or encumbrances other than the ones shown hereon.

STANDARD SYMBOLS & CONVENTIONS:
"○" Denotes iron survey marker, set, unless otherwise noted.
Existing house and garage

With proposed third garage stall
Homes within 1,000 feet of the Subject Home

- **Subject Home**
- **Home located within 50-foot setback (no variance approved)**
- **Approved Front Yard Setback Variance**

Map prepared by: City of Minnetonka

Not a Survey. Not to Scale
PRACTICAL DIFFICULTIES WORKSHEET

By state law, variances may be granted from the standards of the city’s zoning ordinance only if:

1) The proposed variance is in harmony with the general purpose and intent of the zoning ordinance;
2) The proposed variance is consistent with the comprehensive plan; and
3) An applicant establishes that there are practical difficulties in complying with the ordinance standard from which they are requesting a variance. Practical difficulties means:
   - The proposed use is reasonable;
   - The need for a variance is caused by circumstances unique to the property, not created by the property owner, and not solely based on economic considerations; and
   - The proposed use would not alter the essential character of the surrounding area.

<table>
<thead>
<tr>
<th>PRACTICAL DIFFICULTIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Describe why the proposed use is reasonable</td>
</tr>
<tr>
<td>The proposed third stall garage addition would not come closer to the street than the existing garage. (see attached drawing/survey) The style of the third stall addition would match that of the existing garage.</td>
</tr>
</tbody>
</table>

| Describe: |
| circumstances unique to the property;  |
| why the need for variance was not caused by the property owner; and |
| and why the need is not solely based on economic considerations. |

| Unique features of the property are that: |
| 1) the house is not centered on the property, with the house being located closer to the front property line and 2) there is a large distance of ~25 feet between the front property line and the actual road. |
| The economics of building a third garage stall would be the same if the house was located in the center of the property. |

| Describe why the variance would not alter the essential character of the neighborhood |
| The variance would not alter the essential character of the neighborhood since the proposed third garage stall would not be closer the road than the existing garage, and there are many houses in the neighborhood with a third garage stall. |

A survey is ordered but is not completed. The survey is supposed to be complete Oct 11 and will be submitted once obtained. Please used attached images until then.
Planning Commission Resolution No. 2018-

Resolution approving a front yard setback expansion permit to construct an attached garage addition at 4425 Tonkawood Rd.

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

Section 1. Background.

1.01 Sumner Jones and Carrie Buss are proposing to construct a 370 square foot attached garage addition. The proposed attached garage addition would maintain the setback of the existing non-conforming structure, but would encroach into the required front yard setback.

<table>
<thead>
<tr>
<th>Front Yard Setback</th>
<th>Required</th>
<th>Existing</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>50 ft.</td>
<td>31.8 ft.</td>
<td>32.1 ft.*</td>
</tr>
</tbody>
</table>

* requires expansion permit

1.02 The property is located at 4425 Tonkawood Rd. It is legally described as:

Lots 5, Block 1, Thrushwood 2nd Addition, Hennepin County, Minnesota.

1.03 City Code §300.10 Subd. 5(b) requires a minimum front yard setback of 50 feet from major collector or arterial right-of-ways as identified in the comprehensive plan.

1.04 Minnesota Statute §462.357 Subd. 1(e)(b) allows a municipality, by ordinance, to permit an expansion of nonconformities.

1.05 City Code §300.29 Subd.3(g) allows expansion of a nonconformity only by variance or expansion permit.

1.06 City Code §300.29 Subd. 7(c) authorizes the city to grant expansion permits.

Section 2. Standards.

2.01 City Code §300.29 Subd. 7(c) states that an expansion permit may be granted, but is not mandated, when an applicant meets the burden of proving that:

1. The proposed expansion is a reasonable use of the property, considering such things as: functional and aesthetic justifications for the expansion; adequacy of off-site parking for the expansion; absence of adverse off-
site impacts from such things as traffic, noise, dust, odors, and parking; and improvement to the appearance and stability of the property and neighborhood.

2. The circumstances justifying the expansion are unique to the property, are not caused by the landowner, are not solely for the landowner's convenience, and are not solely because of economic considerations; and

3. The expansion would not adversely affect or alter the essential character of the neighborhood.

Section 3. Findings.

3.01 The proposal would meet the variance standard as outlined in City Code §300.07 Subd. 1:

1. **REASONABLENESS:** The request to expand the existing garage is reasonable as:
   - The proposed addition would maintain the same setback as the existing structure;
   - The proposed structure would appear to meet the setback requirement as it would be located over 50 feet from the curb of the road;
   - The proposed structure would enhance the existing single-family home.

2. **UNIQUE CIRCUMSTANCE:** The existing non-conformity of the subject home and attached garage are unique characteristics of the property.

The subject home and attached garage were originally constructed in 1964. The structure is located 31.8 feet from the front property line. The proposed garage addition would maintain the structures non-conforming property line setback.

The Tonkawood Rd. right-of-way creates a 22-foot separation between the curb of the road and the property's front property line. Due to this circumstance, the proposed attached garage addition is located closer to the front property line than would be expected based on the location of the road. As proposed, the curb of Tonkawood Rd. would be located nearly 55 feet from the proposed attached garage addition at the closest point.

3. **CHARACTER OF THE LOCALITY:** The area has several properties that are non-conforming due to the early platting of the land (1964) and the
construction of homes predating city ordinance. Based on aerial images and review of the area, it appears that 12 structures within 1,000 feet of the subject property on Tonkawood Rd. encroach into the required front yard setback. In addition, the city has approved three variance requests within this area for a front yard setbacks. As such, approving the requested expansion permit to construct an attached garage addition would not alter the essential character of the neighborhood.

Section 4. Planning Commission Action.

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

1. Subject to staff approval, the site must be developed and maintained in substantial conformance with the following plans, except as modified by the conditions below:
   - Survey draft dated October 12, 2018.
   - Plans and elevations submitted with application and date stamped October 1, 2018.

2. Prior to issuance of a building permit:
   a) A copy of this resolution must be recorded with Hennepin County.
   b) The applicant must install erosion control fencing as required by staff for inspection and approval. These items must be maintained throughout the course of construction.
   c) The applicant must pave hard surface drive between the 3rd garage stall and existing driveway within property. This pavement connection may not extend into the ROW.
   d) The submitted survey must be updated to include platted easement labels.

4. This variance will end on December 31, 2019, unless the city has issued a building permit for the project covered by this variance or has approved a time extension.

Adopted by the Planning Commission of the City of Minnetonka, Minnesota, on November 1, 2018.

Brian Kirk, Chairperson
Attest:

______________________________
Karen Telega, Deputy City Clerk

Action on this resolution:

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

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Planning Commission of the City of Minnetonka, Minnesota, at a duly authorized meeting held on November 1, 2018.

______________________________
Karen Telega, Deputy City Clerk
**MINNETONKA PLANNING COMMISSION**  
Nov. 1, 2018

**Brief Description**  
Items concerning The Mariner, a multi-family residential development at 10400, 10500, and 10550 Bren Road East:

1. Ordinance rezoning the property from B-2, limited business, to PUD, planned unit development;
2. Master development plan;
3. Final site and building plans; and
4. Preliminary and final plats.

**Recommended**  
Recommend the city council adopt the ordinance and resolutions approving the rezoning, master development plan, final site and building plans, and plats.

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**Background**

In 2017, Newport Midwest presented a concept plan for redevelopment of a 3.9-acre site at 10400, 10500, and 10550 Bren Road East. The plan contemplated removal of three existing office buildings and construction of a new apartment building, containing roughly 240 units. The city council indicated support for the general concept.

**Formal Application**

Newport Midwest, LLC has now submitted formal applications for redevelopment of the site. As proposed, the existing buildings would be removed and two new apartment buildings would be constructed. The new buildings, containing 194 market rate units and 55 workforce units, would be physically connected by common and amenity spaces. The buildings would be served by underground parking, as well as surface parking lots. The future Southwest Light Rail Transit Opus Station will be located roughly 700 feet north of the site.

**Proposal Summary**

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

- **Existing Site Conditions.**

  The combined 3.9-acres subject site is located north and east of Bren Road East and is occupied by three small office buildings and their associated parking lots. Though the commercially-zoned property is considered fully developed, it does contain over 60 trees regulated by the tree protection ordinance.
• **SWLRT Impacts.** The Southwest Light Rail Transit line (SWLRT) will be constructed immediately west of the subject site. Construction of the regional transportation system will impact the site in several ways: (1) Bren Road East will be configured, reducing the total site area and affecting on-site topography; (2) temporary construction easements on the site will be necessary; and (3) utilities associated with SWLRT will be located within existing permanent easements on the site. As with any transportation project that requires reconfiguration of roadways/adjacent property lines and the taking of easement areas, the property owner has been compensated by SWLRT Project Office for these impacts.

• **Proposed Buildings.**

As proposed, the existing buildings and parking lots would be removed and two new apartment buildings would be constructed. The westerly building is proposed as a six-story, 194-unit, market-rate apartment building. The easterly building would be five stories in height and contain 55 workforce units; four of these units would be “designated for families experiencing long-term homelessness, with support services provided by Simpson Housing Services.”¹ The two buildings would be connected on the second and third floors. Unit mix within the buildings is generally proposed as follows:

<table>
<thead>
<tr>
<th></th>
<th>West Building</th>
<th>East Building</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio</td>
<td>17</td>
<td>-</td>
</tr>
<tr>
<td>One Bedroom</td>
<td>116</td>
<td>11</td>
</tr>
<tr>
<td>Two Bedroom</td>
<td>46</td>
<td>28</td>
</tr>
<tr>
<td>Three Bedroom</td>
<td>15</td>
<td>16</td>
</tr>
<tr>
<td>TOTAL</td>
<td>194</td>
<td>55</td>
</tr>
</tbody>
</table>

• **Proposed Parking and Site Improvements.**

The proposed buildings would be served by 340 parking stalls². The majority of parking would be located within underground garage space, with surface parking generally situated on the north side of the easterly building. Vehicle access to the proposed development would be via two driveways, one on Bren Road East and the other located off a private access drive immediately east of the site. Other site improvements are also proposed, including an outdoor play area and dog run.

**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 and staff findings associated with the proposal.

• **Is the proposed residential land use appropriate?**

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¹ Applicant Narrative, 1.
² This number may be have to be reduced to 338 to ensure adequate drive aisle widths within the underground garage.
Yes. The proposed residential use is consistent with both the past plans for OPUS and the future goals for the area. During its 1970s development, OPUS was envisioned to contain residential areas “convenient to the office, commercial and industrial portions … as well as to the surrounding services, communities, mass transportation systems, parks and recreational areas.” Looking to the future, the 2030 Comprehensives Guide Plan generally emphasizes accommodating a variety of housing types within the community that will appeal to a variety of residents at a variety of ages and a variety of income levels. The plan specifically notes that redevelopment within the OPUS area should include the provision of additional residential uses.

- **Is the use of PUD zoning appropriate?**

Yes. The city of Minnetonka uses PUD zoning to provide flexibility from certain ordinance regulations in order to achieve public benefits that may not otherwise be achieved. One of the specific public benefits recognized by the ordinance is the provision of affordable housing. The proposal would result in the provision of 55 workforce housing units.

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

Yes. The proposed architectural design, including façade treatments, is reasonable and attractive. The proposed building articulation and variety of materials – including glass, fiber cement panels, metal panels, and masonry – would provide visual interest from both onsite and offsite views.

- **Has on and off-site grading been appropriately coordinated?**

Generally, yes. As part of the SWLRT construction, Bren Road East will be reconfigured. This will impact the subject site, in that the southwest corner of the property will be regraded and the roadway moved closer to the proposed building. Considerable coordination will be necessary between the applicant and the SWLRT Project Office to ensure grading for the residential and transit projects do not conflict. Various draft grading plans have been submitted and reviewed over the last several months. The most recent plan, which is referenced in the staff-drafted resolution, represents the best of these plans to date. As a condition of approval, the SWLRT Project Office must approve the grading plan in writing prior to issuance of any grading permit for the project.

- **Has stormwater management been appropriately addressed?**

Yes. Both the city and Nine-Mile Creek Watershed District have requirements pertaining to stormwater management. Generally, new development must control:

1. **Rate.** The flow rate of runoff leaving a site must be limited to “pre-redevelopment” conditions.

2. **Volume.** A certain amount of runoff from impervious surfaces must be retained on-site.

3. **Quality.** Runoff must be treated such that a certain amount of phosphorus and

---

suspended solids are removed.

As with the grading plans, the city has received various draft stormwater management plans over the last several months. The most recently submitted plan, which is referenced in the staff-drafted resolution, would meet stormwater management rules. As a condition of approval, Nine-Mile Creek Watershed District staff must grant preliminary approval of the stormwater management plan prior to issuance of any grading permit for the project.

- **Should the city allow significant private uses within public easements?**

  Generally, no. There is a large public utility easement on the northern portion of the site. The easement area is currently occupied by public watermain and a pedestrian trail. The SWLRT office has indicated that various utilities may also be relocated to this easement in conjunction with the SWLRT construction. The submitted plans show private development improvements within the easement, including a dog run and 21 parking stalls. The proposed location of these improvements is contrary to: (1) written city council policy; and (2) to staff direction to this applicant and to applicants for other redevelopment projects within OPUS. Staff acknowledges that the easement limits the usable area of the site to some extent. However, the applicant is in full control of the size and shape of the proposed buildings and parking areas. It follows, therefore, that redesign of the buildings and parking areas could ensure that private uses are not located within public easements.

  It should be noted that staff views the proposed sidewalk connections from the west side of the building to the existing transportation easement on the west side of the site differently. These proposed pedestrian connections serve the same purpose as the existing easement.

**Summary Comments**

Staff supports a high-density residential use of the subject site and the incorporation of affordable housing into the applicant’s proposal. Staff’s primary concerns regarding proposal are: (1) construction coordination with SWLRT; and (2) private uses with the public easements. To address these concerns staff has included conditions of approval requiring that: (1) a document be submitted from SWLRT Project Office approving the grading plan and building location relative to Metro Transit easements; and (2) the site plan be amended, removing the parking, dog run, and other similar improvements from the northerly easement.

**Staff Recommendation**

Recommend the city council adopt the following pertaining to The Mariner, at 10400, 10500, and 10550 Bren Rd E.:

1. An ordinance rezoning the property from B-2, limited business, to PUD, planned unit residential and adopting a master development plan;

2. A resolution approving final site and building plans; and

3. A resolution approving preliminary and final plats.
Supporting Information

**Surrounding Land Uses**
- North: Minneapolis Mart; zoned B-2, commercial
- South: Office/warehouse; zoned I-1, industrial
- East: Office/warehouse; zoned I-1, industrial
- West: Office/warehouse; zoned I-1, industrial

**Planning**
- Guide Plan designation: mixed-use
- Existing Zoning: B-2, commercial

**Required Actions**
The proposal requires the following:

**Land Use**

- **Rezoning.** To facilitate the proposed development, the applicant is requesting that the property be rezoned to PUD. The planning commission makes a recommendation to the city council, which has final authority to approve or deny the rezoning.

- **Master Development Plan.** Under the zoning ordinance, a master development plan is required in conjunction with PUD zoning. The planning commission makes a recommendation to the city council, which has final authority to approve or deny the master development plan.

- **Final Site and Building Plans.** By city code, site and building plan review is required in conjunction with PUD zoning. The planning commission makes a recommendation to the city council, which has final authority to approve or deny the final site and building plans.

- **Preliminary and Final Plats.**

- **Easement Vacation.** As is typical, there are existing drainage and utility easement on either side of the common property lines separating the three existing lots. These easements would become obsolete should the proposal be approved. As a condition of approval, vacation applications must be considered by the council prior to construction of the buildings.

**Finance**

- **Tax Increment Financing Pooling Funds** To assist with the production of affordable housing, the applicant is requesting that the city provide Tax Increment Financing (TIF) Pooling fund assistance in the amount of $556,179. The Economic Development Advisory Commission (EDAC) and city council previously reviewed this request for assistance and found the
request reasonable. The use of TIF funds is not the purview of the planning commission.

- **Contract for Private Development.** This contract outlines the key points of the TIF request as well as expectations for the development. The council will review the final contract at its Nov. 26, 2018 meeting. This contract is not the purview of the planning commission.

**Grading**

The site slopes upward from its center to the southwest adjacent to the Bren Road East curve. The change in grade is roughly 18 feet. To accommodate the proposed development, this southwest corner would be regraded – though maintaining the upward slope to the roadway. At various areas, two to eight feet to fill would be added.

**Tree Impact**

The property contains a total of 68 regulated trees. As proposed:

<table>
<thead>
<tr>
<th></th>
<th>Existing</th>
<th>Removed</th>
<th>% Removed</th>
</tr>
</thead>
<tbody>
<tr>
<td>High Priority</td>
<td>13</td>
<td>11</td>
<td>85%</td>
</tr>
<tr>
<td>Significant</td>
<td>55</td>
<td>41</td>
<td>75%</td>
</tr>
</tbody>
</table>

* By city code, a tree is considered removed if 30 percent or more of the critical root zone of is compacted, cut, filled or paved.

As the proposal is for redevelopment of property, the level of tree removal/impact would be permitted under the tree protection ordinance. However, based on the submitted plans, the following tree mitigation would be required: two, 2-inch deciduous trees and 35 total feet – or roughly six, 6-foot – evergreens. The submitted landscape plan includes plantings well in excess of this requirement.

**Stormwater**

As proposed, stormwater runoff would be directed to several catch basins and directed via pipe to a stormwater facility located under the proposed parking lot. The facility would ultimately outlet to the public storm sewer system.

**Utilities**

Public water and sewer facilities are available at the site. An existing water mains is located within an existing easement on the north side of the property and an existing sanitary sewer main is located northwest of the site.

**Traffic**

OPUS is sometimes maligned for its one-way road system, which casual visitors to the area can find confusing. However, from a traffic movement perspective, the roadway design is excellent. The traffic study commissioned for The Mariner project confirms this. The purpose of any traffic study is to understand: (1) the existing traffic volume and operations; (2) the impact of the proposal on existing traffic volume and operations; and (3) if the proposal impact would be negative, how those impacts could be mitigated. In addition to this basic information, the city also requested the study evaluate
traffic implications if/when the traffic pattern on Green Oak and Red Circle Drives was reversed and the large 20-acre site to the north were to redevelop. Staff foresees both changes occurring with or shortly after the construction of the SWLRT.

The traffic study concluded:

- The intersections adjacent to the subject site currently operated a Level of Service (LOS) A.
- The Mariner is expected to generate 1,355 daily vehicle trips and conceptual redevelopment of the site to north may generate 4,700 daily trips.
- The study intersections, under existing and proposed traffic flow directions, would continue to operate at LOS A following development.

**Parking**

As proposed, parking would be constructed/supplied as follows:

<table>
<thead>
<tr>
<th></th>
<th>East Building</th>
<th>West Building</th>
</tr>
</thead>
<tbody>
<tr>
<td>Underground</td>
<td>46 stalls</td>
<td>247 stalls</td>
</tr>
<tr>
<td>Surface</td>
<td>47 stalls</td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>340 stalls</strong></td>
<td></td>
</tr>
</tbody>
</table>

*may need to be reduced to 338 to ensure adequate drive aisle widths within the underground garage.

The parking ratio proposed would be slightly less than at other apartment buildings in the community. However, it would be consistent with Institute of Transportation Engineers suggested parking demand.

<table>
<thead>
<tr>
<th></th>
<th>Stalls per Bedroom</th>
<th>Stalls per Unit</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Traditional City Code Standard</strong></td>
<td>n/a</td>
<td>2</td>
</tr>
<tr>
<td><strong>PROPOSED</strong></td>
<td>0.88</td>
<td>1.37</td>
</tr>
<tr>
<td>ITE</td>
<td>n/a</td>
<td>1.0 to 1.3*</td>
</tr>
<tr>
<td>The Overlook</td>
<td>1.15</td>
<td>1.49</td>
</tr>
<tr>
<td>Carlson Island</td>
<td>1.03</td>
<td>1.55</td>
</tr>
<tr>
<td>The Ridge</td>
<td>.93</td>
<td>2</td>
</tr>
<tr>
<td>Highland Bank</td>
<td>1.2</td>
<td>1.78</td>
</tr>
</tbody>
</table>

** Institute of Transportation Engineers, Low/Mid-Rise Apts, within 1/3 mile of LRT station and more than 10 miles from Central Business District
The PUD ordinance contains no specific development standards relating to setbacks, lot coverage, etc. However, the following chart outlines these items for informational purposes:

<table>
<thead>
<tr>
<th>Measurement</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Setbacks</strong></td>
</tr>
<tr>
<td>North property line</td>
</tr>
<tr>
<td>South property line</td>
</tr>
<tr>
<td>East property line</td>
</tr>
<tr>
<td>West property line</td>
</tr>
<tr>
<td><strong>Height</strong></td>
</tr>
<tr>
<td>East Building</td>
</tr>
<tr>
<td>West Building</td>
</tr>
<tr>
<td><strong>Miscellaneous</strong></td>
</tr>
<tr>
<td>Impervious Surface</td>
</tr>
</tbody>
</table>

* rounded down to closet 5 ft

City Code §300.27, Subd.5 outlines the following items that must be considered in 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.

**Finding:** The proposed high-density residential development is consistent with the general housing goals of the 2030 Comprehensive Guide Plan and the Plan’s specific goal to provide additional housing in the OPUS area. Further, the proposal has been reviewed by city planning, engineering, and natural resources staff and found to be generally consistent with the city’s development guides, including the water resources management plan.

2. Consistency with this ordinance.

**Finding:** The proposal is consistent with the PUD zoning ordinance.

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

**Finding:** The subject property is a developed site, with no “natural” areas. The proposal is considered redevelopment.

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

**Finding:** The proposal would result in a harmonious relationship of buildings, with open space generally located at the perimeter of the site.

5. Creation of a function and harmonious design for structures and site features, with special attention to the following:

   - 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.
   
   - The amount and location of open space and landscaping.
   
   - Materials, textures, colors and details of construction as an expression of the design concept and compatibly of the same with the adjacent and neighboring structures and uses.
   
   - Vehicular and pedestrian circulation, including walkways, interior drivees and parking in terms of location and number of access points to the public streets, width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic and arrangement and amount of parking.

**Finding:** The proposal would result in a unique and attractively-designed development.

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 building code would require use of additional energy saving features within the buildings themselves.

7. Protection of adjacent and neighboring properties through reasonable provision for surface water drainage, sound and site 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 visually and physically alter the property and the immediate area. However, this change would occur with any redevelopment of the site, which the city has long anticipated.

Pyramid of Discretion

Motion Options

The planning commission has three options:

1. Concur with the staff recommendation. In this case a motion should be made recommending the city council approve the requests.

2. Disagree with staff's recommendation. In this case, a motion should be made recommending the city council deny the request. This motion must include a statement as to why denial is recommended.

3. Table the requests. Due to the statutory deadlines for action, this item cannot be tabled.

Voting Requirement

The planning commission will make a recommendation to the city council. The city council's final approval requires an affirmative vote of four members.

Neighborhood Comments

The city sent notices to 76 property owners and has received no written comments to date.

Deadline for Action

November 26, 2018.
Location Map

Project: Mariner
Address: 10400, 10500 & 10550 Bren Rd E

Subject Properties
Newport Midwest, LLC (Newport Midwest) is seeking final zoning approval to PUD, master development plan approval, preliminary and final plat approval and site and building plan approval at 10400, 10500, and 10550 Bren Road E.

Newport Partners housing demonstrates our focus on a triple bottom line of environmental sustainability, social responsibility, and economic viability. All our developments are high-density infill products that epitomize smart growth and responsible land use. Our portfolio of high-quality affordable housing shows our ongoing commitment to working individuals and families, and seniors on fixed incomes. Our projects focus on social equity, health, sustainability, transit, and active transportation. Each of Newport's developments is unique; design and development decisions are made after evaluating the individual needs of each site and its surrounding neighborhood. Using this approach, we are able to create buildings that not only serve the needs of our residents, but also act as a catalyst in revitalizing neighborhoods.

Newport Midwest has entered into a purchase agreement with the owners at 10400, 10500 and 10550 Bren Road and intends to build two residential apartment buildings, “The Mariner,” connected, that will provide 249 units of housing. Fifty-five of the 249 units will be permanent affordable housing targeted to families. Funding, including the scarce 9% tax credits, have been committed to the project by Minnesota Housing, Hennepin County, Metropolitan Council and the City of Minnetonka to make the units affordable to households earning 50% of the area median income or below. The Mariner’s units meet the Met Council definition of affordable rental housing according to the Livable Communities Act. Construction of these 55 units will apply towards the City’s Met Council goal of creating 378 additional affordable housing units in Minnetonka between 2011 and 2020.

The Mariner’s affordable component includes four units (two 2-bedroom and two 3-bedroom) designated for families experiencing long-term homelessness, with supportive services provided by Simpson Housing Services ("Simpson"). Through a partnership with Simpson, families will find stability and support at The Mariner. Clients referred through Simpson will be assigned a case manager and will meet with them regularly (at least weekly) to set goals, address and identify needs, and work towards self-sufficiency.

Site and Development Description

The project site is bounded by Bren Road E to the south and west, a one story commercial building to the east and Minneapolis Mart to the north. The proposed Green Line light rail extension will be built along the eastern border of the site, with the Opus Station immediately adjacent. A city-maintained trail runs along the northern lot line. The site is currently zoned B-2 and contains three one-story buildings and surface parking lots. The buildings are being used as a daycare, property management company, and contracting services.

The two building will contain housing units, as well resident amenities. The eastern building will feature 55 units, 11 one-bedroom, 28 two-bedrooms and 16 three-bedroom units, ranging in size from a gross 764 square feet to 1402 square feet. The western building will contain 194 units, 17 studios, 116 one-bedroom, 46 two-bedroom and 15 three-bedroom units, ranging in size from a gross 485 square feet to 1368 square feet.

The two buildings will be connected on the second and third floor by an enclosed bridge over the drive entrance. Each building features common and amenity space, which can be accessed by residents in both
buildings. The eastern building features a common area and lobby, as well as a billiard room and offices for property management on the first floor. A large common area with a kitchen, a sauna, a fitness area and a large rooftop patio are located on the second floor. The western building includes a party room, a family game room, and office and meeting space for the service providers and property management.

The combined site is 3.89 acres. The proposed plat will place each building on a separate lot. The western building will have a 46,983 square foot building footprint and a total floor area of 200,543 square feet. The proposed lot for the western building is 2.68 acres. The eastern building will have an 15,385 square foot building footprint and a total floor area of 77,950 square feet. The proposed lot for the eastern building is 1.22 acres. The western building will be six stories, plus a level of underground parking. The eastern building will be five stories, plus a level of underground parking. Expected exterior materials on the building will be primarily brick, metal panels and fiber cement lap siding.

The site features a courtyard with a splash pad and a playground area as resident amenity. A dog run is also provided. The project includes massing of plantings and trees throughout the site to enhance the landscaping. Additional pedestrian walkways to the public sidewalk are planned.

**Setbacks.** The building setback from the building face and the back of curb is 51 feet along the western border of the site. Along the eastern border, the setback range between 41.5 feet, at the maximum between the building face and property line and 33 feet where the balconies project. Along the northern border, the setbacks range between 96 feet between the building face and property line to 51 feet at the minimum. feet along the northern border. Along the southern border, MNDOT intends to realign the road to accommodate the proposed Green line light rail extension. Contracts to start the relocation work will be let this summer for a September 2018 start. Met Council’s contractor will also be relocating utilities and constructing a new retaining wall in the area where Bren Road will intersect with the LRT tracks. Gate arms will be installed at the intersection as well. The building setback from the building face to the current back of curb range between 95 feet and 22 feet. When the road is reconstructed, the building setback from the building face and back of curb will range between 46 feet and 27 feet. MNDOT staff confirmed that they do not have a recommended or required setback distance and that they are comfortable with 20.8 feet, which is the shortest distance of the building to Bren Road in current plans for the Development. with the presence of LRT traffic and gate arms, the LRT / Bren Road intersection just southwest of the Development will be busier and that traffic will move considerably more slowly as a result. MNDOT indicated that the relocated Bren Road will have an anticipated speed of 25 miles per hour as it turns as the southwest corner of the Development property. For reference, there is no traffic signal or other stopping mechanism at the intersection now and MNDOT confirmed that current average speeds are considerably higher than 25 miles per hour on Bren Road.

**Sustainability.** Newport Midwest delivers buildings that are environmentally sustainable in design and operation. The eastern building will meet the Minnesota Green Communities Overlay standards. The building will feature water conserving fixtures throughout, use energy star rated appliances and light fixtures, low VOC coatings and sealants, and dedicated areas for recycling. The building will be designed to exceed NC ASRAE 90.1 energy standards by 5%, meaning the building will be more energy efficient than required by building code. The storm water management for the entire site will be improved. The existing property currently does not have any stormwater treatment or retention on site. Existing topography splits the site in half, with stormwater runoff typically directed to the northeast and northwest corners where it enters the city sewer system. The ultimate drainage discharge points are two city retention ponds a few parcels north of the site. The proposed plan includes an underground infiltration vault within the parking and drive aisle areas. On site stormwater runoff and roof drainage will be collected in a private stormwater sewer system which discharges to the vault.
**Parking, traffic and transit.** The primary entrance is accessed off Bren Road. The drive is “L” shaped and connects to the private drive along the eastern portion of the site. Per City Staff direction, the proposed plan assumes that the existing private driveway will be converted to a public street. The plan assumes that the future right-of-way will be 60 feet wide with 30 feet will be located on Newport Midwest’s property. Newport Midwest is prepared to dedicate 30 feet of the eastern portion of the lot to the City for the public right-of-way.

The bridge connecting the two buildings is above the access drive. At the lowest point, the distance between the drive and bridge is 12’ 6”, which exceeds the height of the tallest fire truck in the City’s fleet. Emergency vehicles may also access the site from the private drive on the east, and the public trail along the northern border.

The surface parking lot, as designed, has 47 parking stalls. The underground parking on the eastern building and western building has 46 and 247 stalls, respectively. The combined parking capacity of 340 stalls provide a parking ratio of 1.36. All the parking is accessed from the driveway. The plans show 21 parking spaces extending 18 feet into the easement, leaving over 30 unimproved feet in the easement. Though not required by City code, the City has indicated, from experience, the additional parking stalls are important to ensure there will be adequate parking for the residents and visitors. Newport Midwest will be responsible for the cost of demolition and restoration of the area should the City require the 18-foot space in the easement for future use.

Finally, the project includes 162 bicycle parking spots and indoor bicycle storage.

**Consistency with Minnetonka’s Land Use and Housing Goals and Policies**

The Opus business park was originally designed as a large mixed-use development providing the opportunity for people to live, work and play. The change of land use from B-2 to a PUD establishing housing as an allowed use is consistent with the vision for Opus and the need for additional housing near the Opus Station.

The comprehensive plan states. “The city is nearly 100 percent developed. Therefore, infill development and redevelopment activities will be the primary ways to add new housing in order to meet the goals for achieving the 383 new affordable units in the city by 2020.” (Chapter 5, Section F.2).

And, “The city had a significant number of new rental housing units built in the late 1990s. Due to the favorable conditions for purchasing a home, high vacancies existed within the rental housing market in the early 2000s, and therefore only three new general occupancy rental buildings have been constructed since 1997. It is anticipated that it will be difficult to construct new and larger rental housing buildings or complexes in the future because it will require redevelopment and few programs are available to cities for redevelopment activities.

**Actions**
1. Assist developers, to the extent allowed by law, who may want to construct rental housing. At a minimum, provide advice about desired areas and potential sites.
2. Continue to implement the EDA’s policy that 10 to 20 percent of new multi-family units should be affordable housing.
3. Promote the use of —greenl technologies, sustainable building techniques and design, and energy efficient products in new construction and redevelopment projects.” (Chapter 5, Section F.3.b).

And, “The 2020 goal is for the addition of 383 new affordable units between 2011 and 2020. Since the city is fully developed, these units will likely be added to the city’s affordable housing supply through infill or redevelopment opportunities. Additionally, in order to make the units affordable, it is probable
that the units will be multi-family (either owner-occupied or rental) due to the high land values in the city.

Actions
a. Continue working with developers to include affordable housing in their developments, where appropriate.
b. Continue to work with developers in the development process to ensure the long-term affordability of units.
c. Work with Homes Within Reach and other affordable housing agencies and developers to add more affordable housing units in the city. Collaborate and support applications for grants or other funding sources for affordable housing. Provide information to these agencies on homes or areas of the city where affordable units could be located.
d. Locate new affordable and senior housing near access to the transit system, as appropriate…
g. Promote the use of —green technologies, sustainable building techniques and design, and energy efficient products in new construction and redevelopment projects.” (Chapter 5, Section F.5)

And, “Access to transit in Minnetonka continues to be a challenge for all residents because of the lack of convenient routes. Linking affordable family and senior housing to transit services is important as many of these residents rely upon the transit system to reach work and service destinations…. With the lead of Hennepin County, the city and other communities and agencies are involved in studies pertaining to a future light rail transit (LRT) line from Minneapolis to the southwest metropolitan area, including Minnetonka. There are more studies, coordination and funding arrangements required before the LRT line could be constructed and construction is not anticipated before 2015.

Actions
a. Continue to collaborate with the transit providers in Minnetonka to ensure that as many residents are served as possible. Analyze and prioritize areas where more transit service may be necessary such as near locations with transit-dependent populations.
b. Continue to be involved in the LRT planning and station area studies and look for ways to add housing, services, and walkability around station areas.” (Chapter 5, Section F.6)

The development incorporates the objectives outlined in the Opus Station Area Plan. The site is listed as a potential redevelopment site in figure 13-9. The plan states, “The land use in the Opus station area include a mix of office, light industrial, commercial/retail, residential, hotel and park/open spaces uses. Several underutilized industrial sites present opportunities for future redevelopment in the area. The property directly east of and adjacent to the proposed station platform presents an opportunity for higher density and mixed land use…”

Development potential for the Opus station area could include a mix of office, light industrial, residential, hotel, and retail uses.”

The guidance for built form and land uses state, “Design new buildings in the Bren Road loop to enhance pedestrian access by orientating them to the street and locating them as close to the street line as possible.”

In planning for the Green Line extension, a housing analysis was performed for each of the 15 stations to project market demand for housing within ½ mile of the stations within the next 15 years. The analysis projected the market would likely demand over 11,000 housing units for the entire line from Eden Prairie to Minneapolis, of which, 600 housing units were projected for the Opus Station.
October 18, 2018

Ms. Susan Thomas  
Principal Planner, City of Minnetonka  
14600 Minnetonka Blvd  
Minnetonka, MN 55345

Dear Ms. Thomas:

It has been a pleasure to work with you and your team on the proposed development located at 10400 Bren Road, Minnetonka, MN. In response to our conversations, please find the following revised drawings and documents for your review:

- P8 Precipitation File: “MSP Precip File 10-19-1.pcp7”
- P8 Temperature File: “MSP Temperature File 10-19-17.tem”
- Comment Response letter to previous submittal: “2018-1015 City Comment Response”
- Comment Response from Minnesota Department of Health approving watermain above the infiltration footprint: “RE_Watermain_Infiltration Question”

It is worth noting that our revised design does not include a sidewalk at the southwest corner of the site. Our team feels that the addition of a sidewalk at this corner would be counterproductive to the design and utility of the site. Primary factors driving this decision are safety, privacy and connectivity. These concerns are explored in detail below:

**SAFETY:**

The Mariner is concerned about the safety of pedestrians using the sidewalk along the southwest edge of the property due to the proximity of the walk to the embankment and the building. There is only 12 feet of space between the building and the easement. In that twelve feet there needs to be a retaining wall that allows for ADA acceptable grading as well as the six foot sidewalk. The walk is six feet and the wall would require another three feet placing the sidewalk three feet from the building. The building at this location is 65’ tall. On the other side of the trail is the embankment for the light rail overpass. The overpass is approximately 15’ above the trail. This condition is asking pedestrians to walk in a narrow twenty-eight foot wide corridor with a 65’ building on one side and a bridge embankment on the other. We believe this condition to lack essential safety. Lighting this would be helpful, but will adversely affect the apartment residents.
PRIVACY:
The twelve foot setback puts pedestrians within three feet of the building. In this location, the building has windows, and a townhouse style unit with a patio and front door. The pedestrians could look directly into the apartment unit. Since this walk wraps around the corner of the building, it is not possible to relocate windows. This condition adversely affects the units.

BETTER CONNECTIVITY:
The proposed plan provides great sidewalk connections to the public trail on the north side of the property. This trail connection is more closely aligned to the LRT station and would be a shorter route. There is no sidewalk in the overpass. Therefore the pedestrian traffic will be coming from the East.

This sidewalk in question would be located on private land and is a concern for operations and maintenance—but even with proper care the condition is not very safe. We believe the Mariner has proposed a much better option for pedestrian safety and building privacy. Pedestrian access is vital to The Mariner, and we are making great connections where we believe them to be appropriate.

Should you have any questions on the items submitted, or require further information, please do not hesitate to reach out to me directly.

Sincerely,

Claire VanderEyk
Senior Development Associate, Newport Midwest, LLC
475 Cleveland Avenue North, Suite 325
Saint Paul, MN 55104

|m| 320.266.0827 |e| cvandereyk@newportpartners.com
PRELIMINARY CIVIL CONSTRUCTION PLANS
FOR
THE MARINER
CITY OF MINNETONKA
HENNEPIN COUNTY, MINNESOTA
LOTS 1 AND 2, BLOCK 1
THE MARINER ADDITION

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NOTES:
1. IF REPRODUCED, THE SCALES SHOWN ON THESE PLANS ARE BASED ON A 22"x34" SHEET.
2. ALL NECESSARY INSPECTIONS AND/OR CERTIFICATIONS REQUIRED BY CODES AND/OR UTILITY SERVICE COMPANIES SHALL BE PERFORMED PRIOR TO ANNOUNCED BUILDING PERMITS AND THE FINAL CONNECTION OF SERVICES.
3. ALL GENERAL CONTRACTOR WORK TO BE COMPLETED (EARTHWORK, UTILITIES, AND FINAL GRADING) BY THE MILESTONE DATE IN PROJECT DOCUMENTS AND/OR PER OWNER'S DIRECTION.
4. CONTRACTOR SHALL CONFIRM THAT THE EXISTING CONDITIONS FOR THIS SITE MATCH WHAT IS SHOWN ON THE DRAWINGS INCLUDED PRIOR TO CONSTRUCTION.

WARNING:
ALL COMPANIES AND ALL UTILITIES COMPANIES SHALL BE RESPONSIBLE FOR CALLING FOR LOCATIONS OF ALL EXISTING UTILITIES THAT MAY BE ENCOUNTERED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING FOR ANY OTHER UTILITIES THAT MAY BE ENCOUNTERED. ALL CONTRACTOR WORK TO BE COMPLETED, AND THE FINAL CONNECTION OF SERVICES TO BE MADE, PRIOR TO ANY COMMENCEMENT OF THE EXISTING UTILITIES OR THEIR LOCATION.

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17. DETAILS

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

ARCHITECT
COLLAGE ARCHITECTS
708 15TH AVE NE
MINNEAPOLIS, MN 55413
(P) - 651-642-9200
CONTACT: PETE KEELY, AIA

NOT TO SCALE

VICINITY MAP
TYPICAL OWNER / ENGINEER OBSERVATIONS

2. CONTRACTOR SHALL COORDINATE WITH OWNERS CONTRACTORS AS NECESSARY FOR

7. CONTRACTOR SHOULD ANTICIPATE PRIVATE UTILITY CONFLICTS THROUGHOUT THE PROJECT

3. ALL QUANTITIES ARE APPROXIMATE AND MAY VARY TO ALLOW COMPLETION OF WORK.

15. THE EXISTING PAVEMENT CONDITIONS HAVE BEEN DOCUMENTED, AND ANY DAMAGE TO THE

6. EXACT LOCATION OF UNDERGROUND UTILITIES SUCH AS GAS, TELEPHONE, FIBER OPTIC,

18. A MINIMUM OF 5' OF SEPARATION IS REQUIRED BETWEEN UTILITIES AND TREES UNLESS A ROOT BARRIER IS UTILIZED.

17. THE LOCATION OF EXISTING UTILITIES, STORM DRAINAGE STRUCTURES, AND OTHER ABOVE AND BELOW GRADE

10. BEFORE PLACING PAVEMENT, CONTRACTOR SHALL VERIFY SUITABLE ACCESSIBLE ROUTES (PER A.D.A). IN NO CASE

14. ROOF DRAINS SHALL BE CONNECTED TO STORM SEWER BY PREFABRICATED WYES OR AT STORM STRUCTURES. ROOF

9. CONTRACTOR SHALL PERFORM, AT THEIR OWN EXPENSE, ANY AND ALL TESTS REQUIRED BY THE SPECIFICATIONS

8. WHERE EXISTING PAVEMENT IS INDICATED TO BE REMOVED THE CONTRACTOR SHALL SAW

13. SITE ENTRY AND EXIT LOCATIONS SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT THE

9.8. BE PROHIBITED FROM BURYING OF CLEARED AND GRUBBED WASTE WITHIN LIMITS OF

21. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THAT THE PROPOSED

20. ANY WELL DISCOVERED DURING EARTH MOVING ACTIVITY OR EXCAVATION SHALL BE

12. CONTRACTOR SHALL MINIMIZE CLEARING TO THE MAXIMUM EXTENT PRACTICAL OR AS REQUIRED

16. ALL JOB SITE MATERIALS, EQUIPMENT, MACHINERY, TOOLS, MEANS OF TRANSPORTATION AND LABOR NECESSARY TO

30. ALL SANITARY SEWER RISERS MUST EXTEND AT LEAST 4 INCHES ABOVE THE FINISHED GROUND ELEVATION.

18. ADJUST AND/OR CUT EXISTING PAVEMENT AS NECESSARY TO ENSURE A SMOOTH FIT AND

14. LIMITS OF CONSTRUCTION ARE TO THE PROPERTY LINE UNLESS OTHERWISE SPECIFIED ON

8. ALL RUBBISH, CONCRETE, STEEL, METAL, DEBRIS, EQUIPMENT, ETC., RESULTING FROM

5. MATERIALS DEMOLISHED/REMOVED BY CONTRACTOR WILL BECOME PROPERTY OF THE

3.2. BACTERIOLOGICAL TESTS OF WATER SYSTEM

11. MAXIMUM JOINT SPACING IS TWICE THE DEPTH OF THE CONCRETE PAVEMENT IN FEET.

3.1. BACTERIOLOGICAL TESTS OF WASTE WATER SYSTEM

23. ALL EXISTING PAVEMENT, SIDEWALK, CURBS, OR OTHER SUCH ITEMS DESIGNATED TO REMAIN THAT ARE DAMAGED OR

3.3. BASE INSTALLATION

19. ROOF AND SIDEWALL DRAINS SHALL BE CONNECTED TO STORM SEWER BY PREFABRICATED WYES OR AT STORM STRUCTURES.

24. CONTRACTOR SHALL ASSURE THAT THE SPECIFIED LAWN, SHRUBS, AND TRESS ARE BROUGHT ON SITE.

3.4. BASE INSTALLATION

9.9. BE PROHIBITED FROM CARRYING ANY HAZARDOUS MATERIALS. MATERIALS DANGEROUS TO HANDLE OR USE

27. CONTRACTOR SHALL REPAIR, AT THEIR OWN EXPENSE, ANY DAMAGE TO EXISTING UTILITIES TO REMAIN SHALL BE REPAIRED OR REPLACED BY THE CONTRACTOR WITHOUT

3.5. BASE INSTALLATION

3.6. BASE INSTALLATION

5.6. ALLとな

7.6. ALL CONSTRUCTION MACHINERY AND EQUIPMENT SHALL BE CLEAN AND REFUSED FROM EXISTING SITE CONDITIONS WHERE REQUIRED.

10. RECLAIM ALL ELECTRICAL, GAS, WATER MUNCHS AND OTHER ABOVE AND BELOW GRADE UTILITIES.

8.3. BACTERIOLOGICAL TESTS OF ALL SUMP SYSTEMS

16. ALL EXISTING UTILITIES SHALL BE DISCONNECTED OR PLUGGED OFF PRIOR TO CONSTRUCTION.

5. MATERIALS DEMOLISHED/REMOVED BY CONTRACTOR WILL BECOME PROPERTY OF THE

8.5. BACTERIOLOGICAL TESTS OF BATHROOM OR TOILET SYSTEMS

17. THE LOCATION OF EXISTING UTILITIES, STORM DRAINAGE STRUCTURES, AND OTHER ABOVE AND BELOW GRADE

14. LIMITS OF CONSTRUCTION ARE TO THE PROPERTY LINE UNLESS OTHERWISE SPECIFIED ON

9. CONTRACTOR SHALL PERFORM, AT THEIR OWN EXPENSE, ANY AND ALL TESTS REQUIRED BY THE SPECIFICATIONS

11. MAXIMUM JOINT SPACING IS TWICE THE DEPTH OF THE CONCRETE PAVEMENT IN FEET.

3.3. BASE INSTALLATION

19. ROOF AND SIDEWALL DRAINS SHALL BE CONNECTED TO STORM SEWER BY PREFABRICATED WYES OR AT STORM STRUCTURES.

24. CONTRACTOR SHALL ASSURE THAT THE SPECIFIED LAWN, SHRUBS, AND TRESS ARE BROUGHT ON SITE.
NOTE: LIMITS OF DISTURBANCE AND SILT FENCE ARE SHOWN OFFSET FROM GRADE. LIMITS FOR CLARITY. OBJECT WORK IS LIMITED TO GRADABLE CONNECTIONS. CONTRACTOR TO INSTALL AND MAINTAIN EROSION PROTECTIONS ON ALL AREAS RECEIVING STABILIZED SOIL FROM THE SITE.

NOTE: TEMPORARY EROSION CONTROL BMPs TO BE IN PLACE AND STABILIZED PRIOR TO ANY SITEWORK. TEMPORARY CONTROLS TO BE CONSTRUCTED AS NECESSARY TO CONTROL STORMWATER FROM WORK ONCE CONSTRUCTION HAS COMMENCED.

EROSION CONTROL NOTES

1. ALL PERIMETER SILT FENCE AND ROCK CONSTRUCTION ENTRANCES SHALL BE INSTALLED PRIOR TO CONSTRUCTION.
2. CONTRACTOR SHALL INSTALL CATCH BASIN SEDIMENT CONTROL MEASURES PRIOR TO ANY CONSTRUCTION ACTIVITIES.
3. ALL DISTURBED AREAS SHALL BE STABLIZED WITH SOD, OR ROCK BASE. STABILIZATION MUST BE INSTALLED IMMEDIATELY UPON FINISHING SITE GRADING AND COMPLETED WITHIN TWO WEEKS (14 DAYS). REFER TO LANDSCAPE PLANS FOR MATERIALS.
4. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH CITY, STATE, AND WATERSHED DISTRICT REQUIREMENTS.
5. THE CONTRACTOR SHALL MAINTAIN ALL EROSION CONTROL MEASURES PRIOR TO ANY CONSTRUCTION. SEGMENT SHALL BE REMOVED AT REGULAR INTERVALS. SEGMENT BUILD UP SHALL BE REMOVED WHEN IT REACHED 1/2 OF THE HEIGHT OF THE SILT FENCE ABOVE GROUND ELEVATION.
6. ANY EXCESS SEDIMENT ACCUMULATED ON SITE SHALL BE REMOVED BY THE CONTRACTOR.
7. REMOVE ALL EROSION CONTROL MEASURES AFTER SITE HAS BEEN STABILIZED AND VEGETATION IS ESTABLISHED.
8. CONTRACTOR SHALL REMOVE ALL SOILS AND SEDIMENT TRACKED FROM ROADWAY.
9. IF BLOWING DUST BECOMES A NUISANCE, THE CONTRACTOR SHALL APPLY WATER FROM A TANK TRUCK TO ALL CONSTRUCTION AREAS
10.Sheet Title: OPUS 2 FOURTH ADDITION

PRELIMINARY
NOT FOR CONSTRUCTION

THE MARINER
1000 BREN ROAD, MINNETONKA, MN 55343
Prepared For:
COLLAGE ARCHITECTS
708 15TH AVENUE NE
MINNEAPOLIS, MN 55413

Gopher Stair One Call
708-250-5000
Toll Free 1-800-252-1166

WARNING:
THE CONTRACTOR SHALL CONTACT Gopher State One Call (1-800-252-1166) AT LEAST 48 HOURS IN ADVANCE FOR THE LOCATION OF ALL EXISTING UTILITIES. THEY SHALL BE RESPONSIBLE FOR CALLING FOR LOCATIONS OF ALL EXISTING UTILITIES. THEY SHALL COOPERATE WITH ALL UTILITY COMPANIES IN MAINTAINING THEIR SERVICE AND/OR RELOCATION OF LINES.

THE MARINER
1000 BREN ROAD, MINNETONKA, MN 55343
Prepared For:
COLLAGE ARCHITECTS
708 15TH AVENUE NE
MINNEAPOLIS, MN 55413

Gopher Stair One Call
708-250-5000
Toll Free 1-800-252-1166

WARNING:
THE CONTRACTOR SHALL CONTACT Gopher State One Call (1-800-252-1166) AT LEAST 48 HOURS IN ADVANCE FOR THE LOCATION OF ALL EXISTING UTILITIES. THEY SHALL BE RESPONSIBLE FOR CALLING FOR LOCATIONS OF ALL EXISTING UTILITIES. THEY SHALL COOPERATE WITH ALL UTILITY COMPANIES IN MAINTAINING THEIR SERVICE AND/OR RELOCATION OF LINES.

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### SITE ANALYSIS TABLE

<table>
<thead>
<tr>
<th>Property</th>
<th>Area (sq ft)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing</td>
<td>488,943.5</td>
</tr>
<tr>
<td>Proposed</td>
<td>488,767.1</td>
</tr>
<tr>
<td>Difference</td>
<td>-176.4</td>
</tr>
</tbody>
</table>

**BREN RD. SETBACK**

<table>
<thead>
<tr>
<th>Lot</th>
<th>EXISTING AREA</th>
<th>PROPOSED AREA</th>
<th>DIFFERENCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>488,943.5</td>
<td>488,767.1</td>
<td>-176.4</td>
</tr>
</tbody>
</table>

**GREENSPACE SUMMARY**

- **EXISTING**: 488,943.5 sq ft
- **PROPOSED**: 488,767.1 sq ft

**SITE NOTES**

1. **ALL WORK AND MATERIALS SHALL COMPLY WITH ALL CITY / COUNTY REGULATIONS AND CODES, AND O.S.H.A. STANDARDS.**

2. **CONTRACTOR SHALL REFER TO THE ARCHITECTURAL PLANS FOR EXACT LOCATIONS OF AND DIMENSIONS OF VESTIBULES, SLOPE PAVING, SIDEWALKS, EXIT POISONS, TRUCK DOCKS, PRECAST BUILDING DIMENSIONS, AND EXACT BUILDING UTILITIES ENTRANCE LOCATIONS.**

3. **ALL DISTURBED AREAS ARE TO RECEIVE SIX INCHES OF TOPSOIL, SEED OR SOD, AND WATER UNTIL GRASS IS FULLY ESTABLISHED. REFER TO GEOTECHNICAL REPORT FOR DETAIL.**

4. **ALL DIMENSIONS AND RADA ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.**

5. **SITE BOUNDARY TOPOGRAHY, UTILITIES, AND ROAD INFORMATION TAKEN FROM A SURVEY BY JAMES R. HILL, INC.**

6. **REFERENCE ARCHITECTURAL PLANS FOR INTERNAL DUMPSTER ENCLOSURE DESIGN.**

7. **CONCRETE JOINT SPACING SHALL HAVE MAX ASPECT RATIO OF 1:1 AND SHALL BE AS FOLLOWS: A) 1:1.5 SEE EXISTING, B) THICK OR 6" HEAVY DUTY CONCRETE NO LESS THAN 6" "SIZING DEPENDENT UPON THICKNESS. REFER TO GEOTECHNICAL REPORT.**

**PROPARED/EXISTING CURB AND GUTTER**

- **EXISTING**: 488,943.5 sq ft
- **PROPOSED**: 488,767.1 sq ft

**SITE LIGHTING AND FLOODING**

- **EXISTING**: 488,943.5 sq ft
- **PROPOSED**: 488,767.1 sq ft

**ACCESSIBLE CURB RAMP**

- **EXISTING**: 488,943.5 sq ft
- **PROPOSED**: 488,767.1 sq ft

**DOOR LOCATION AND STOOP REFER TO GEOTECHNICAL REPORT FOR DETAIL.**

**SCHEDULE**

- **EXISTING**: 488,943.5 sq ft
- **PROPOSED**: 488,767.1 sq ft

**SITE PHOTO MAGNIFICATION**

- **EXISTING**: 488,943.5 sq ft
- **PROPOSED**: 488,767.1 sq ft

**UTILITY ENTRANCE LOCATIONS**

- **EXISTING**: 488,943.5 sq ft
- **PROPOSED**: 488,767.1 sq ft

**SITE LEGEND**

- **PROPERTY LINE**
- **BASEMENT LINE**
- **PROPOSED M.T.M CURB AND GUTTER**
- **UNDERGROUND STORMWATER DETENTION**
- **REFERENCE LANDSCAPE PLAN FOR DETAIL.**
- **STOP SIGN**
- **ACCESSIBLE CURB RAMP**
- **PROPOSED PARKING COUNT**
- **TRENCH DRAIN**
SITE LEGEND

PROPERTY LINE
BASEMENT LINE
PROPOSED BLDG CLARK AND GUTTER
PROPOSED PERMANENT DRAINAGE AND UTILITY EASEMENT
PROPOSED PERMANENT TRANSPORTATION EASEMENT
MATURE BDD CONCRETE PAVEMENT
REFER TO GEOTECHNICAL REPORT FOR DETAIL

SITE ANALYSIS TABLE

LOT 1, LOT 2, BLOCK 1
THE MARINER ADDITION

LOT AREA
±15,385 G.S.F.
±902.0'
±890.2'

FOOTPRINT OF NEW BUILDING PROJECT

GREENSPACE SUMMARY
IMPERVIOUS AREA (INCL. BLDG)
±110,755 SF
PERVIOUS AREA
±58,821 SF

STANDARD SURFACE PARKING
37 STALLS
COMPACT SURFACE PARKING
10 STALLS
TOTAL UNDERGROUND PARKING
293 STALLS
TOTAL PARKING COUNT
340 STALLS

BREN RD. SETBACK

MINIMUM SETBACK
22.0’
MAXIMUM SETBACK
39.0’
AVERAGE SETBACK
36.0’

PROPOSED BREN ROAD RE-ALIGNMENT
MINIMUM SETBACK
27.0’
MAXIMUM SETBACK
36.0’
AVERAGE SETBACK
30.0’

STANDARD SURFACE PARKING
37 STALLS
COMPACT SURFACE PARKING
10 STALLS
TOTAL UNDERGROUND PARKING
293 STALLS
TOTAL PARKING COUNT
340 STALLS

COMMUNITY RESPONSIBLE FOR COLLECTING LOCATION OF ALL EXISTING UTILITIES. THEY SHALL COORDINATE WITH ALL UTILITY COMPANIES TO MAINTAIN THEIR SERVICES DURING CONSTRUCTION. THE CONTRACTOR SHALL CONTACT GOPHER STATE ONE CALL AT 651-454-0002 AT LEAST 48 HOURS IN ADVANCE FOR THE LOCATIONS OF ALL UNDERGROUND WIRES, CABLES, CONDUITS, PIPES, MANHOLE, VALVES OR OTHER BURIED STRUCTURES BEFORE DIGGING. THE CONTRACTOR SHALL REPAIR OR REPLACE THE ABOVE WHEN DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.

2018-10-15 4:12:57 PM

WARNING:

TWIN CITY AREA: 651-454-0002
TOLL FREE 1-800-252-1166
CALL BEFORE YOU DIG
1. All Perimeter Silt Fence is to be installed before construction begins and shall be maintained for the duration of construction.  

2. The Contractor shall install catch-basin sediment control measures prior to any construction activities.

3. All disturbed areas shall be stabilized with sod or rock immediately after construction activities. All临时道路, site grading, and completed within 2 weeks (14 days). Refer to landscape plans for materials.

4. All erosion control measures shall be installed and maintained in accordance with city, state, and watershed district permits.

5. The Contractor shall maintain all erosion control measures throughout construction. Sediment shall be removed at regular intervals, and sediment build-up shall be removed when it reaches the height of the silt fence above ground level.

6. Any excess sediment accumulated onsite shall be removed by the Contractor.

7. All erosion control measures after site has been stabilized and vegetation is established. Contractor shall remove all silt and sediment tracked onto existing streets and paved areas.

8. If blowing dust becomes a nuisance, the Contractor shall make all necessary repairs to silt fence or replace the silt fence as necessary.

9. If blowing dust becomes a nuisance, the Contractor shall make all necessary repairs to silt fence or replace the silt fence as necessary.

10. All disturbed areas shall be stabilized with sod or rock immediately after construction activities. All temporary roads, site grading, and completed within 2 weeks (14 days). Refer to landscape plans for materials.

WARNING:

The Contractor shall be responsible for calling for locations of all existing utilities that shall be in accordance with city, state, and watershed district permits. Contractor shall remove all silt and sediment tracked onto existing streets and paved areas. If blowing dust becomes a nuisance, the Contractor shall make all necessary repairs to silt fence or replace the silt fence as necessary.
PROPOSED FIVE-STORY MULTI-FAMILY RESIDENTIAL ±15,385 G.S.F. AT F.F.E.

F.F.E.: ±902.0'
L.F.E.: ±890.2'

PROPOSED SIX-STORY MULTI-FAMILY RESIDENTIAL ±46,983 G.S.F. AT F.F.E.

F.F.E.: ±902.0'
L.F.E.: ±892.0'

DOG RUN AREA UNDERGROUND INFILTRATION VAULT

100-YR HWL: ±891.4'
OPUS DEVELOPMENT
ORIGINAL CONCEPT
NEW LIFE IN THE RAW FRONTIER

In the early 1800's, Minnesota was a vast tract of land inhabited only by various bands of Chippewa and Sioux Indians. Around the middle of the century things started to change. Settlers arrived in increasing numbers at St. Paul Landing, the recently designated political capitol for the large expanse of land between the St. Croix and Missouri Rivers.

After a short stay in St. Paul, many of the settlers moved further up river to the smaller village of St. Anthony, the sawmill town by the falls. St. Paul and St. Anthony, both raw frontier communities, offered the excitement, hustle and bustle characteristic of newly created boom towns.

The trail to points west led from these fledgling cities past Lake Calhoun, Lake Harriet, paralleled Minnehaha Creek and eventually ended in the rich farm land surrounding Lake Minnetonka. Those here for the purpose of homesteading or farming followed this trail westward in search of fertile land.

The area comprising Hopkins, Minnetonka, Edina and Eden Prairie soon was settled with families. Civilization had come to this newly instituted Territory of Minnesota. The areas that were populated by these pioneers eventually became towns and villages that still exist today.
The Township of Eden Prairie and Minnetonka came into existence in 1858. Eden Prairie's name was bestowed on it by Elizabeth Ellet, an author of national fame. She was impressed with the beautiful rolling prairies and likened them to her conception of the Garden of Eden. Others must have agreed with her as the township was officially chartered under the name of Eden Prairie in 1858.

About the same time, the Township of Minnetonka was officially chartered, taking its name from the large lake close by. The lake was originally named Peninsula Lake by Calvin Tuttle and Simon Stevens, earlier pioneers. Governor Alexander Ramsey later renamed it Minnetonka, a Sioux word meaning big water.

Hopkins, then a part of Minnetonka Township, had its beginning roughly around 1870. The Minneapolis and St. Louis Railway purchased right-of-ways across farmers' land for their line to St. Louis, Missouri. Once the line was completed, a station was constructed opposite the home of Harley Hopkins and was given the name of Hopkins. With the added growth brought by the railroad, Hopkins became an entity in its own right and in 1887 the village was formally incorporated and separated from Minnetonka Township.

In 1888, Edina followed suit, electing to make their settlement a separate village from that of Richfield. Andrew and John Craik, immigrants from the Old World and pioneers in the new Territory, had come to Minnesota from Edinburgh, Scotland. They opened a flour mill and named it Edina in honor of their homeland. It is from the Craik brothers' Edina flour mill that the village of Edina took its name.

From their first perilous foothold, these four cities grew and prospered. Today, they offer Minnesota a heritage rich in determination, vision and progress, a history as much a part of the present and future as it is of the past.

At the convergence of these four progressive communities, a new pioneering effort has begun. 410 acres of small truck farms and private estates that once belonged to the Minnesota Pioneers has been acquired by Rauenhorst Corporation. The land, located in Minnetonka, Edina, and Eden Prairie, and bordered by Hopkins, will be the site of a new innovative community geared to our modern way of working and living.
OPUS 2

There has long been a need for a new approach to community planning, especially on a large scale. Major cities, unlike smaller communities, are decades behind in responding to our present needs, work habits and life styles. Traffic systems and patterns can no longer handle the growing number of commuters. Present day transportation is producing a pollution problem that was undreamed of back in the 1950's and early 60's. Today's major cities are no longer people oriented.

Mr. Rauenhorst, aware of the direction community planning has taken in the last twenty years and of the problems that have resulted, devised an entirely new approach, one that was people oriented. He called it Opus 2.

Opus 2 combines the history of the past, needs of the present and the projected requirements of the future into a self-contained working/living center offering 95% of what is essential to life. It coordinates office, industrial, commercial and residential areas into an integral working/living environment able to provide jobs, recreation, housing, shopping, medical and cultural facilities. It is self-sustaining, making it profitable for companies to locate there, and it is convenient for commuting. Opus, which means creation, is an appropriate name to apply to this unusual approach to community planning.
A SEARCH SPARKS THE BEGINNING

Opus 2 went from concept to reality when Data 100 approached Rauenhorst Corporation to build new Corporate Headquarters, an office and plant facility. Rauenhorst was asked to find a suitable site within a designated area. Twenty-five acres were eventually located west of the Twin Cities bordered by Shady Oak Road, County Road 18 and Crosstown Highway 62. While in the process of acquiring the land for Data 100, Rauenhorst noticed that the adjoining acreage was also available. The area was ideal for the Opus 2 concept. The most important criteria were there: Proximity to the surrounding communities, existing access through roads and freeways and over 400 acres of undeveloped land in a suburban location. Rauenhorst Corporation decided to use this opportunity to implement Opus 2.
PREPARATION AND CONSERVATION

Much in-depth research was required concerning the environmental aspects of Opus 2's impact on the area. Independent studies were initiated to determine the feasibility of the automobile primary road system and the pedestrian traffic secondary road system concept as it related to the land use pattern. An environmental assessment was performed. Informal meetings were held with several different agencies, councils, commissions, and governments at the staff level including: the Nine Mile Creek Watershed District, the Environmental Quality Control Council, the Metropolitan Council, the Hennepin County Highway Department, the planning and engineering staffs of Edina, Eden Prairie, Hopkins, and Minnetonka, the Hennepin County Conservation Department and the Metropolitan Transit Commission.

Input received from these groups helped to determine the strength of each element of the Opus 2 concept and how well it would work with other elements of the plan. One of the main elements Rauenhorst Corporation considered during planning was preservation of the area’s natural amenities. Rather than redesign the topography to fit the needs of Opus 2, Opus 2 has been designed to coordinate with the environment that already exists. Great care is being taken to preserve ecosystems such as wooded sections, marshes, knolls, valleys and natural water retention areas that enrich and enhance the environmental setting. It is this care and concern for the unspoiled beauty of the land that makes Opus 2 unique.
WORKING IN OPUS 2

Opus 2 is a staged development, taking an estimated ten years for completion. The industrial and office portions of Opus 2, consisting of 2 million square feet, are presently being developed. These will be coordinated with the 55,000 square foot neighborhood convenience shopping center, some residential housing and the 300,000 square foot multi-purpose service center.

Designed to fit today's working/living needs, Opus 2 offers many advantages not found elsewhere. Opus 2's location is nearly perfect for the businessman. Services such as restaurants, hotels, shopping centers, and some of the Twin Cities' greatest recreational facilities are located either in Opus 2 or are just moments away. Opus 2 is serviced by one of the metropolitan area's major arteries, Crosstown Highway 62, which puts the office, commercial and industrial areas of downtown Minneapolis, downtown St. Paul, the suburbs that circle the metropolitan area and the Minneapolis/St. Paul International Airport within minutes of the busy executive. Opus 2 is situated in the heart of the blue and white collar labor markets and is surrounded by four executive residential communities.

Added to this, buildings constructed in Opus 2 are architecturally designed to meld with the environment, avoiding visual congestion and enhancing the natural scenic amenities.

As Opus 2 was being engineered, much thought was given to controlling traffic peaks, thus avoiding rush hour traffic jams. The result is a dual roadway system
that intra-connects Opus 2. It consists of a one-way primary roadway for standard automobiles and a two-way secondary roadway for pedestrian, bicycle traffic and electric vehicles. The two systems are totally separate and are bridged wherever they intersect. Traffic from the primary system can't cross over or interfere with traffic on the secondary system. Counter-rotating traffic circles and the use of one-way streets in the primary system enable 50,000 vehicles to move in and out of Opus 2 daily without ever encountering oncoming vehicles, traffic signals or stop signs. This transportation system permits easy employee and customer access to all areas of Opus 2 in a continuous and uninterrupted fashion.

Opus 2 is in an ideal location for eventually connecting with mass transportation systems of the surrounding communities of Hopkins, Edina, Eden Prairie, Minnetonka, Minneapolis and St. Paul. Although Opus 2 is presently only minutes from these office, commercial and industrial areas, interconnected mass transportation will further tie Opus 2 into the Metropolitan business community.
LIVING IN OPUS 2

The central feature that blends the office, commercial and industrial portion of Opus 2 with the residential areas is the focal point of the working/living community, the multi-purpose service center. This structure, intended to serve Opus 2 and the surrounding area, will combine a number of uses on the same site. Proposed are high-value specialty shops, cultural facilities such as a community theater, an ecumenical chapel, dining establishments, police, fire and medical auxiliary services, all combined and located in a uniquely designed building.

Situated within casual walking distance of the multi-purpose service center will be a number of neighborhoods, each with its own architectural style and individual characteristics. They will be serviced by the same primary and secondary roadway system that intra-connects the office, commercial and industrial portions of Opus 2.

The treatment of the residential areas will reflect the Rauenhorst Corporation commitment to preserve and enhance the natural environment. Exquisitely manicured grounds will accent the aesthetically designed buildings. Each neighborhood will vary in density and will be convenient to the office, commercial and industrial portions of Opus 2, as well as to the surrounding services, communities, mass transportation systems, parks and recreational areas. The housing will range from rental units to condominiums, providing a way of life that is both distinctive and elegant. Residents will enjoy comfort, beauty, quality and peace of mind living.

Opus 2 living is designed for the discriminating. The over one thousand units planned will provide the ultimate in modern living, offering a new vista in housing experience.
EXCITING CHALLENGES

Numerous challenges are presented by the Opus 2 project; corporate headquarters with adjacent housing, mixed professional, commercial, office, and research facilities, industrial condominiums, preservation of natural amenities, aesthetically designed buildings, new techniques of crime prevention through internal security systems, experimentation with energy supply, the primary/secondary roadway concept, mass transit systems and people movers. These are just a few of the exciting developments planned for Opus 2.

Intense research is presently underway concerning the last category, people movers. Proposed are electric vehicles. They would be advantageous to residents as they would adapt to the dual roadway concept, would cost a fraction of the present sub-compact car, both to purchase and to operate, and they would be non-polluting.

RAUENHORST CORPORATION AND OPUS 2

Opus 2 originated from Mr. Rauenhorst's deep-seated conviction that he and his firm have a responsibility to society to research and create new methods and ideas for living and working. These new ideas are then implemented through the Rauenhorst Corporation concept of Total Responsibility which includes: site selection, architectural design, financing, development, engineering, construction, leasing, management and maintenance—all under one unified contract. As applied to Opus 2, the Total Responsibility concept has played a major role in helping to create a compatible working/living environment, developed and maintained along stringent standards, that will provide 95% of what is essential to life as well as ensure steadily increasing property values for your firm's investment. Therefore, Opus 2 isn't just another development. It's a singular working/living experience at the crossroad of what was, and what ought to be.

OPUS 2—CROSSROADS OF TOMORROW, TODAY.
THE CITY OF MINNETONKA

Critical to the development of an enterprise such as Opus 2 is the understanding, and support of local governmental bodies during the planning, programming, and construction phases. We have been fortunate indeed to have had a cooperative endeavor emerge with a number of such governmental groups, but especially with the City of Minnetonka. Even as we wrote our Opus 2 brochure, events were moving forward with gratifying rapidity. Zoning of our industrial park and commercial areas was obtained, concept plan approval for the housing area of the plan was granted, and an industrial revenue bond issue providing for the timely completion of the industrial/commercial areas was authorized by the City Council.

We at Rauenhorst Corporation extend special thanks and appreciation to the Council, Planning Commission, and Staff of Minnetonka for their assistance in making the promise of Opus 2 a reality today.

Gerald Rauenhorst
Ordinance No. 2018-

An ordinance rezoning the properties at 10400, 10500, and 10550 Bren Road East from B-2, limited business, to PUD, planned unit development and adopting a master development plan

The City Of Minnetonka Ordains:

Section 1.

1.01 The subject properties at 10400, 10500, and 10550 Bren Road East are hereby rezoned from B-2, commercial, to PUD, planned unit development.

1.02 The properties are legally described as:

Parcel A:
Lots 1 and 3, Block 1, Bren Trail, Hennepin County, Minnesota.
Together with the benefits contained in Declaration of Reciprocal Easements dated May 11, 2010, filed May 12, 2010 as Document Number 9511555.

Parcel B:
Lot 2, Block 1, Bren Trail, Hennepin County, Minnesota.
Together with the benefits contained in Declaration of Reciprocal Easements dated May 11, 2010, filed May 12, 2010 as Document Number 9511555.

Abstract Property

Section 2.

2.01 This ordinance is based on the following findings:

1. The rezoning to PUD would result in the provision of workforce rental housing, which is a living option desirable to the city.

2. The rezoning would be consistent with the intent of the zoning ordinance and of the comprehensive guide plan.

3. The rezoning would be consistent with the public health, safety, and welfare.
2.02 This ordinance is subject to the following conditions:

1. The site must be developed and maintained in substantial conformance with the following plans:
   
   • Site Plan and Future Site Plan, dated Oct. 15, 2018. Except that private improvements – parking and dog run – are not allowed to be constructed within public easements.
   • Storm Sewer Plan, dated Oct. 15, 2018.

   The above plans are hereby adopted as the master development plan for the site.


Section 3. This ordinance is effective immediately.

Adopted by the city council of the City of Minnetonka, Minnesota, on Nov. 26, 2018.

Brad Wiersum, Mayor

Attest:

David E. Maeda, City Clerk

Action on this ordinance:

Date of introduction: July 23, 2018
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 regular meeting held on Nov. 26, 2018.

______________________________
David E. Maeda, City Clerk
Resolution No. 2018-
Resolution approving final site and building plans The Mariner, a multi-family residential development at 10400, 10500, and 10550 Bren Road East

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

Section 1. Background.

1.01 Newport Midwest, LLC has requested approval of final site and building plans for a 249-unit rental housing development at 10400, 10500, and 10550 Bren Road East.

1.02 The subject properties are legally described as:

Parcel A: Lots 1 and 3, Block 1, Bren Trail, Hennepin County, Minnesota.
Together with the benefits contained in Declaration of Reciprocal Easements dated May 11, 2010, filed May 12, 2010 as Document Number 9511555.

Parcel B: Lot 2, Block 1, Bren Trail, Hennepin County, Minnesota.
Together with the benefits contained in Declaration of Reciprocal Easements dated May 11, 2010, filed May 12, 2010 as Document Number 9511555.

Abstract Property

1.03 On Nov. 1, 2018, the planning commission held a hearing on the proposal. The applicant was provided the opportunity to present information to the commission. The commission considered all of the comments received and the staff report, which are incorporated by reference into this resolution. The commission recommended the city council approve the final site and building plans.

Section 2. Site and Building Plan Standards and Findings.

2.01 City Code §300.27, Subd.5 outlines several items that must be considered in evaluation of site and building plans. Those items are incorporated by reference into this resolution.

2.02 The proposal would meet site and building plan standards outlined in the City Code §300.27, Subd.5.
1. The proposed high-density residential development is consistent with the general housing goals of the 2030 Comprehensive Guide Plan and the Plan’s specific goal to provide additional housing in the OPUS area. Further, the proposal is consistent with SWLRT plans for the areas. The proposal has been reviewed by city planning, engineering, and natural resources staff and found to be generally consistent with the city’s development guides, including the water resources management plan.

2. The proposal is consistent with the zoning ordinance.

3. The subject property is a developed site, with no “natural” areas. The proposal is considered redevelopment.

4. The proposal would result in a harmonious relationship of buildings, with open space generally located at the perimeter of the site.

5. The proposal would result in a unique and attractively-designed development.

6. As new construction, the building code would require use of additional energy saving features within the buildings themselves.

7. The proposal would visually and physically alter the property and the immediate area. However, this change would occur with any redevelopment of the site, which the city has long anticipated.

Section 3. City Council Action.

3.01 The above described site and building plans are hereby approved based on the findings outlined in Sections 2 and 3 of this resolution. Approval is subject to the following conditions:

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

   - Site Plan and Future Site Plan, dated Oct. 15, 2018. Except that private improvements – parking and dog run – are not allowed to be constructed within public easements.

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

   a. Final site plan. The plan must:

      • Not include parking, dog run, or other similar private improvements within the 50-foot wide drainage and utility easement located on the north side of the site.

   b. Final grading plan must:

      • Include a private sidewalk adjacent the southwesterly façade of the building. The sidewalk must connect the proposed main drive aisle and existing public trail to the west.

      • Not include steps immediately adjacent to public trails.

   c. Final utility plan. The plan must:

      • Illustrate that sanitary sewer main located outside of public utility easements are designed in compliance with the Minnesota Plumbing Code.

      • Include specific specifications and materials.

   Note: Separate sewer and water permits, tests, and inspections are required for on-site work located outside of public utility easements. Permits must be submitted by a licensed contractor.

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

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

- **Volume.** Provide for onsite retention of 1-inch of runoff from the entire site’s impervious surface.

- **Quality.** Provide for all runoff to be treated to at least 60 percent total phosphorus annual removal efficiency and 90 percent total suspended solid annual removal efficiency.

In addition:

- Stormdrains located outside of the building must be connected storm sewer, not internal building plumbing.

- Consider locating a structure between CBMH 3 and 4 to provide for more separation between storm sewer and the roadway.

- Provide evidence that the underground system will be able to support 83,000 pounds and 10,800 pounds per square foot outrigger load.

- Provide evidence that underground facility can be maintained in the future without damaging or undermining the building.

- The underground facility must be inspected by a qualified third party during installation and that party must verify that the pressure requirements are adequately met.

e. **Final landscaping plan must:**

- Meet city code value requirements as outlined in city code and city policy pertaining to landscaping within easements. Note, only small shrubs, perennials and grasses may be located in public easements.

- Include information pertaining to species, sizes, quantities, locations and landscape value.

- Include pollinator-friendly species.
- Include tree mitigation meeting city code requirements. Based on submitted grading plans, one, 2-inch tree and six, 6-foot evergreen are required.

- Show deciduous trees located at least 10 feet from public trails and 15 feet from public streets. Evergreens must be located at least 15 feet from public trails and 20 feet from public streets.

4) A utility exhibit. The exhibit must show only property lines, buildings, sewer, water, storm sewer and underground stormwater facilities. The exhibit must clearly note which lines are private and which are public.

5) A truck turning exhibit. The exhibit must use templates for the city's largest fire truck and illustrate that the truck can maneuver through the site.

b) Prior to issuance of a grading permit:

1) This resolution must be recorded at Hennepin County.

2) Final plat must be released for recording.

3) Obsolete public easements must be vacated.

4) Obsolete private easements must be released.

5) Pay any outstanding assessments, taxes, and utility bills.

6) Submit park dedication fee in the amount of $1,245,000.

7) Submit the following:

   a. Executed contract for private development

   b. A stormwater maintenance agreement in a city approved format for review and approval of city staff.

   c. A private hydrant maintenance agreement in a city approved format for review and approval of city staff.

   d. An encroachment agreement for sidewalks within the transportation easement on the west side of the site.
e. A construction phasing plan for staff review and approval.

f. A written document from SWLRT Project Office: (1) approving the grading plan; and (2) amending the location of temporary construction easements.

g. Preliminary approval from Nine Mile Creek Watershed District staff.

h. A MPCA Sanitary Sewer Extension permit or documentation that a permit is not required.

i. A MDH permit for the proposed water main construction or documentation that a permit is not required.

j. 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.

k. Financial guarantees in the amount of 125% of a bid cost or 150% of an estimated cost to comply with grading permit and landscaping requirements and to restore the site. Staff is authorized to negotiate the manner in which site work and landscaping guarantees will be provided. The city will not fully release guarantee until: (1) as-built drawings and tie-cards have been submitted; (2) a letter certifying that the underground facility has been completed according to the plans approved by the city; (3) vegetated ground cover has been established; and (4) required landscaping or vegetation has survived one full growing season.

l. Evidence that an erosion control inspector has been hired to monitor the site through the course of construction. This inspector must provide weekly reports to natural resource staff in a format acceptable to the city. At its sole discretion, the city may accept escrow dollars, in an amount to be determined by natural resources staff, to contract with an erosion control inspector to monitor the site throughout the course of construction.

m. 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.

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

2) Hold a preconstruction meeting with site contractors and city planning, engineering, public works, and natural resources staff. The meeting may not be held until all items required under 2(a) and 2(b)(7) of this resolution have been submitted, reviewed by staff, and approved.

3. Prior to issuance of any building permit, submit the following documents:

a) A snow removal and chloride management plan.

b) A revised underground parking plan illustrating all aisle widths and stall dimensions in conformance with zoning and building code requirements.

c) A construction management plan. This plan must be in a city approved format and outline minimum site management practices and penalties for noncompliance. 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.

1) 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 escrow submitted at the time of grading permit may fulfill this requirement.

4. The property owner is responsible for replacing any required landscaping that dies.

5. Construction must begin by December 31, 2019, unless the planning commission grants a time extension.

Adopted by the City Council of the City of Minnetonka, Minnesota, on Nov. 26, 2018.

Brad Wiersum, 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 Nov. 26, 2018.

David E. Maeda, City Clerk

SEAL
Resolution No. 2018-

Resolution approving the preliminary and final plat of
THE MARINER

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

Section 1. Background.

1.01 Newport Midwest, LLC has requested approval of preliminary and final plats of THE MARINER at 10400, 10500, and 10550 Bren Road East.

1.02 The property is legally described as:

Parcel A:
Lots 1 and 3, Block 1, Bren Trail, Hennepin County, Minnesota.
Together with the benefits contained in Declaration of Reciprocal Easements dated May 11, 2010, filed May 12, 2010 as Document Number 9511555.

Parcel B:
Lot 2, Block 1, Bren Trail, Hennepin County, Minnesota.
Together with the benefits contained in Declaration of Reciprocal Easements dated May 11, 2010, filed May 12, 2010 as Document Number 9511555.

Section 2. General Standards.

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

Section 3. Findings.

3.01 The proposed 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, submit the following:
   a) Evidence for the city engineer’s review and approval that sufficient permanent drainage and utility easement is being dedicated adjacent to Bren Rd. E to maintain a consistent drainage and utility corridor.
   b) A copy of Driveway Easement Doc. No. 4372853.
   c) The following documents for review and approval of the city attorney:
      1) Title evidence that is current within thirty days before release of the final plat.
      2) A cross access and parking agreement.
      3) An easement over the easterly 20 feet of the property for roadway, utility, and sidewalk/trail purposes. The city will not be responsible for maintenance of driveway or trails in the area unless or until the driveway and sidewalks are converted to, and accepted as, public infrastructure.
   d) An electronic CAD file of the plat in microstation or DXF.
   e) Three sets of mylars for city signatures.

2. This approval will be void on Nov. 26, 2019, if: (1) a final plat is not recorded; and (2) the city council has not received and approved a written application for a time extension.

Adopted by the City Council of the City of Minnetonka, Minnesota, on Nov. 26, 2018.

Brad Wiersum, 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 Nov. 26, 2018.

________________________________________
David E. Maeda, City Clerk
Location Map

Project: Mariner
Address: 10400, 10500 & 10550 Bren Rd E
Newport Midwest, LLC (Newport Midwest) is seeking final zoning approval to PUD, master development plan approval, preliminary and final plat approval and site and building plan approval at 10400, 10500, and 10550 Bren Road E.

Newport Partners housing demonstrates our focus on a triple bottom line of environmental sustainability, social responsibility, and economic viability. All our developments are high-density infill products that epitomize smart growth and responsible land use. Our portfolio of high-quality affordable housing shows our ongoing commitment to working individuals and families, and seniors on fixed incomes. Our projects focus on social equity, health, sustainability, transit, and active transportation. Each of Newport’s developments is unique; design and development decisions are made after evaluating the individual needs of each site and its surrounding neighborhood. Using this approach, we are able to create buildings that not only serve the needs of our residents, but also act as a catalyst in revitalizing neighborhoods.

Newport Midwest has entered into a purchase agreement with the owners at 10400, 10500 and 10550 Bren Road and intends to build two residential apartment buildings, “The Mariner,” connected, that will provide 249 units of housing. Fifty-five of the 249 units will be permanent affordable housing targeted to families. Funding, including the scarce 9% tax credits, have been committed to the project by Minnesota Housing, Hennepin County, Metropolitan Council and the City of Minnetonka to make the units affordable to households earning 50% of the area median income or below. The Mariner’s units meet the Met Council definition of affordable rental housing according to the Livable Communities Act. Construction of these 55 units will apply towards the City’s Met Council goal of creating 378 additional affordable housing units in Minnetonka between 2011 and 2020.

The Mariner’s affordable component includes four units (two 2-bedroom and two 3-bedroom) designated for families experiencing long-term homelessness, with supportive services provided by Simpson Housing Services ("Simpson"). Through a partnership with Simpson, families will find stability and support at The Mariner. Clients referred through Simpson will be assigned a case manager and will meet with them regularly (at least weekly) to set goals, address and identify needs, and work towards self-sufficiency.

Site and Development Description

The project site is bounded by Bren Road E to the south and west, a one story commercial building to the east and Minneapolis Mart to the north. The proposed Green Line light rail extension will be built along the eastern border of the site, with the Opus Station immediately adjacent. A city-maintained trail runs along the northern lot line. The site is currently zoned B-2 and contains three one-story buildings and surface parking lots. The buildings are being used as a daycare, property management company, and contracting services.

The two building will contain housing units, as well resident amenities. The eastern building will feature 55 units, 11 one-bedroom, 28 two-bedrooms and 16 three-bedroom units, ranging in size from a gross 764 square feet to 1402 square feet. The western building will contain 194 units, 17 studios, 116 one-bedroom, 46 two-bedroom and 15 three-bedroom units, ranging in size from a gross 485 square feet to 1368 square feet.

The two buildings will be connected on the second and third floor by an enclosed bridge over the drive entrance. Each building features common and amenity space, which can be accessed by residents in both
buildings. The eastern building features a common area and lobby, as well as a billiard room and offices for property management on the first floor. A large common area with a kitchen, a sauna, a fitness area and a large rooftop patio are located on the second floor. The western building includes a party room, a family game room, and office and meeting space for the service providers and property management.

The combined site is 3.89 acres. The proposed plat will place each building on a separate lot. The western building will have a 46,983 square foot building footprint and a total floor area of 200,543 square feet. The proposed lot for the western building is 2.68 acres. The eastern building will have an 15,385 square foot building footprint and a total floor area of 77,950 square feet. The proposed lot for the eastern building is 1.22 acres. The western building will be six stories, plus a level of underground parking. The eastern building will be five stories, plus a level of underground parking. Expected exterior materials on the building will be primarily brick, metal panels and fiber cement lap siding.

The site features a courtyard with a splash pad and a playground area as resident amenity. A dog run is also provided. The project includes massing of plantings and trees throughout the site to enhance the landscaping. Additional pedestrian walkways to the public sidewalk are planned.

**Setbacks.** The building setback from the building face and the back of curb is 51 feet along the western border of the site. Along the eastern border, the setback range between 41.5 feet, at the maximum between the building face and property line and 33 feet where the balconies project. Along the northern border, the setbacks range between 96 feet between the building face and property line to 51 feet at the minimum. feet along the northern border. Along the southern border, MNDOT intends to realign the road to accommodate the proposed Green line light rail extention. Contracts to start the relocation work will be let this summer for a September 2018 start. Met Council’s contractor will also be relocating utilities and constructing a new retaining wall in the area where Bren Road will intersect with the LRT tracks. Gate arms will be installed at the intersection as well. The building setback from the building face to the current back of curb range between 95 feet and 22 feet. When the road is reconstructed, the building setback from the building face and back of curb will range between 46 feet and 27 feet. MNDOT staff confirmed that they do not have a recommended or required setback distance and that they are comfortable with 20.8 feet, which is the shortest distance of the building to Bren Road in current plans for the Development. with the presence of LRT traffic and gate arms, the LRT / Bren Road intersection just southwest of the Development will be busier and that traffic will move considerably more slowly as a result. MNDOT indicated that the relocated Bren Road will have an anticipated speed of 25 miles per hour as it turns as the southwest corner of the Development property. For reference, there is no traffic signal or other stopping mechanism at the intersection now and MNDOT confirmed that current average speeds are considerably higher than 25 miles per hour on Bren Road.

**Sustainability.** Newport Midwest delivers buildings that are environmentally sustainable in design and operation. The eastern building will meet the Minnesota Green Communities Overlay standards. The building will feature water conserving fixtures throughout, use energy star rated appliances and light fixtures, low VOC coatings and sealants, and dedicated areas for recycling. The building will be designed to exceed NC ASRAE 90.1 energy standards by 5%, meaning the building will be more energy efficient than required by building code. The storm water management for the entire site will be improved. The existing property currently does not have any stormwater treatment or retention on site. Existing topography splits the site in half, with stormwater runoff typically directed to the northeast and northwest corners where it enters the city sewer system. The ultimate drainage discharge points are two city retention ponds a few parcels north of the site. The proposed plan includes an underground infiltration vault within the parking and drive aisle areas. On site stormwater runoff and roof drainage will be collected in a private stormwater sewer system which discharges to the vault.
Parking, traffic and transit. The primary entrance is accessed off Bren Road. The drive is “L” shaped and connects to the private drive along the eastern portion of the site. Per City Staff direction, the proposed plan assumes that the existing private driveway will be converted to a public street. The plan assumes that the future right-of-way will be 60 feet wide with 30 feet will be located on Newport Midwest’s property. Newport Midwest is prepared to dedicate 30 feet of the eastern portion of the lot to the City for the public right-of-way.

The bridge connecting the two buildings is above the access drive. At the lowest point, the distance between the drive and bridge is 12’ 6”, which exceeds the height of the tallest fire truck in the City’s fleet. Emergency vehicles may also access the site from the private drive on the east, and the public trail along the northern border.

The surface parking lot, as designed, has 47 parking stalls. The underground parking on the eastern building and western building has 46 and 247 stalls, respectively. The combined parking capacity of 340 stalls provide a parking ratio of 1.36. All the parking is accessed from the driveway. The plans show 21 parking spaces extending 18 feet into the easement, leaving over 30 unimproved feet in the easement. Though not required by City code, the City has indicated, from experience, the additional parking stalls are important to ensure there will be adequate parking for the residents and visitors. Newport Midwest will be responsible for the cost of demolition and restoration of the area should the City require the 18-foot space in the easement for future use.

Finally, the project includes 162 bicycle parking spots and indoor bicycle storage.

Consistency with Minnetonka’s Land Use and Housing Goals and Policies

The Opus business park was originally designed as a large mixed-use development providing the opportunity for people to live, work and play. The change of land use from B-2 to a PUD establishing housing as an allowed use is consistent with the vision for Opus and the need for additional housing near the Opus Station.

The comprehensive plan states, “The city is nearly 100 percent developed. Therefore, infill development and redevelopment activities will be the primary ways to add new housing in order to meet the goals for achieving the 383 new affordable units in the city by 2020.” (Chapter 5, Section F.2).

And, “The city had a significant number of new rental housing units built in the late 1990s. Due to the favorable conditions for purchasing a home, high vacancies existed within the rental housing market in the early 2000s, and therefore only three new general occupancy rental buildings have been constructed since 1997. It is anticipated that it will be difficult to construct new and larger rental housing buildings or complexes in the future because it will require redevelopment and few programs are available to cities for redevelopment activities.

Actions
1. Assist developers, to the extent allowed by law, who may want to construct rental housing. At a minimum, provide advice about desired areas and potential sites.
2. Continue to implement the EDA’s policy that 10 to 20 percent of new multi-family units should be affordable housing.
3. Promote the use of —greenl technologies, sustainable building techniques and design, and energy efficient products in new construction and redevelopment projects.” (Chapter 5, Section F.3.b).

And, “The 2020 goal is for the addition of 383 new affordable units between 2011 and 2020. Since the city is fully developed, these units will likely be added to the city’s affordable housing supply through infill or redevelopment opportunities. Additionally, in order to make the units affordable, it is probable
that the units will be multi-family (either owner-occupied or rental) due to the high land values in the city.

Actions
a. Continue working with developers to include affordable housing in their developments, where appropriate.
b. Continue to work with developers in the development process to ensure the long-term affordability of units.
c. Work with Homes Within Reach and other affordable housing agencies and developers to add more affordable housing units in the city. Collaborate and support applications for grants or other funding sources for affordable housing. Provide information to these agencies on homes or areas of the city where affordable units could be located.
d. Locate new affordable and senior housing near access to the transit system, as appropriate…
g. Promote the use of—green technologies, sustainable building techniques and design, and energy efficient products in new construction and redevelopment projects.” (Chapter 5, Section F.5)

And, “Access to transit in Minnetonka continues to be a challenge for all residents because of the lack of convenient routes. Linking affordable family and senior housing to transit services is important as many of these residents rely upon the transit system to reach work and service destinations…. With the lead of Hennepin County, the city and other communities and agencies are involved in studies pertaining to a future light rail transit (LRT) line from Minneapolis to the southwest metropolitan area, including Minnetonka. There are more studies, coordination and funding arrangements required before the LRT line could be constructed and construction is not anticipated before 2015.

Actions
a. Continue to collaborate with the transit providers in Minnetonka to ensure that as many residents are served as possible. Analyze and prioritize areas where more transit service may be necessary such as near locations with transit-dependent populations.
b. Continue to be involved in the LRT planning and station area studies and look for ways to add housing, services, and walkability around station areas.” (Chapter 5, Section F.6)

The development incorporates the objectives outlined in the Opus Station Area Plan. The site is listed as a potential redevelopment site in figure 13-9. The plan states, “The land use in the Opus station area include a mix of office, light industrial, commercial/retail, residential, hotel and park/open spaces uses. Several underutilized industrial sites present opportunities for future redevelopment in the area. The property directly east of and adjacent to the proposed station platform presents an opportunity for higher density and mixed land use…”

Development potential for the Opus station area could include a mix of office, light industrial, residential, hotel, and retail uses.”

The guidance for built form and land uses state, “Design new buildings in the Bren Road loop to enhance pedestrian access by orientating them to the street and locating them as close to the street line as possible.”

In planning for the Green Line extension, a housing analysis was performed for each of the 15 stations to project market demand for housing within ½ mile of the stations within the next 15 years. The analysis projected the market would likely demand over 11,000 housing units for the entire line from Eden Prairie to Minneapolis, of which, 600 housing units were projected for the Opus Station.
October 18, 2018

Ms. Susan Thomas
Principal Planner, City of Minnetonka
14600 Minnetonka Blvd
Minnetonka, MN 55345

Dear Ms. Thomas:

It has been a pleasure to work with you and your team on the proposed development located at 10400 Bren Road, Minnetonka, MN. In response to our conversations, please find the following revised drawings and documents for your review:

- P8 Precipitation File: “MSP Precip File 10-19-1.pcp7”
- P8 Temperature File: “MSP Temperature File 10-19-17 tuner”
- Comment Response to previous submittal: “2018-1015 City Comment Response”
- Comment Response from Minnesota Department of Health approving watermain above the infiltration footprint: “RE_Watermain_Infiltration Question”

It is worth noting that our revised design does not include a sidewalk at the southwest corner of the site. Our team feels that the addition of a sidewalk at this corner would be counterproductive to the design and utility of the site. Primary factors driving this decision are safety, privacy and connectivity. These concerns are explored in detail below:

SAFETY:

The Mariner is concerned about the safety of pedestrians using the sidewalk along the southwest edge of the property due to the proximity of the walk to the embankment and the building. There is only 12 feet of space between the building and the easement. In that twelve feet there needs to be a retaining wall that allows for ADA acceptable grading as well as the six foot sidewalk. The walk is six feet and the wall would require another three feet placing the sidewalk three feet from the building. The building at this location is 65’ tall. On the other side of the trail is the embankment for the light rail overpass. The overpass is approximately 15’ above the trail. This condition is asking pedestrians to walk in a narrow twenty-eight foot wide corridor with a 65’ building on one side and a bridge embankment on the other. We believe this condition to lack essential safety. Lighting this would be helpful, but will adversely affect the apartment residents.
PRIVACY:
The twelve foot setback puts pedestrians within three feet of the building. In this location, the building has windows, and a townhouse style unit with a patio and front door. The pedestrians could look directly into the apartment unit. Since this walk wraps around the corner of the building, it is not possible to relocate windows. This condition adversely affects the units.

BETTER CONNECTIVITY:
The proposed plan provides great sidewalk connections to the public trail on the north side of the property. This trail connection is more closely aligned to the LRT station and would be a shorter route. There is no sidewalk in the overpass. Therefore the pedestrian traffic will be coming from the East.

This sidewalk in question would be located on private land and is a concern for operations and maintenance—but even with proper care the condition is not very safe. We believe the Mariner has proposed a much better option for pedestrian safety and building privacy. Pedestrian access is vital to The Mariner, and we are making great connections where we believe them to be appropriate.

Should you have any questions on the items submitted, or require further information, please do not hesitate to reach out to me directly.

Sincerely,

Claire VanderEyk
Senior Development Associate, Newport Midwest, LLC
475 Cleveland Avenue North, Suite 325
Saint Paul, MN 55104
m 320.266.0827 e cvandereyk@newportpartners.com
PRELIMINARY CIVIL CONSTRUCTION PLANS
FOR
THE MARINER
CITY OF MINNETONKA
HENNEPIN COUNTY, MINNESOTA
LOTS 1 AND 2, BLOCK 1
THE MARINER ADDITION

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NOTES:
1. IF REPRODUCED, THE SCALES SHOWN ON THESE PLANS ARE BASED ON A 22"x34" SHEET.
2. ALL NECESSARY INSPECTIONS AND/OR CERTIFICATIONS REQUIRED BY CODES AND/OR UTILITY SERVICE COMPANIES SHALL BE PERFORMED PRIOR TO ANNOUNCED BUILDING POSSESSION AND THE FINAL CONNECTION OF SERVICES.
3. ALL GENERAL CONTRACTOR WORK TO BE COMPLETED (EARTHWORK, UTILITIES, AND FINAL Grading) BY THE MILESTONE DATE IN PROJECT DOCUMENTS AND/OR PER OWNER'S DIRECTION.
4. CONTRACTOR SHALL CONFIRM THAT THE EXISTING CONDITIONS FOR THIS SITE MATCH WHAT IS SHOWN ON THE DRAWINGS INCLUDED PRIOR TO CONSTRUCTION.

WARNING:
THE CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING FOR LOCATIONS OF ALL EXISTING UTILITIES. THEY SHALL COORDINATE WITH ALL UTILITIES COMPANIES TO MAINTAIN THEIR SERVICE PRIOR TO BURIAL OR CONSTRUCTION. ENSURE PROPER CONDUCT FOR THIS SITE. WATCH WHAT IS SHOWN ON THE DRAWINGS INCLUDED PRIOR TO CONSTRUCTION.

VISIBILITY MAP
NOT TO SCALE

WARNING:
THE CONTRACTOR SHALL CONTACT GOPHER STATE ONE CALL AT LEAST 48 HOURS IN ADVANCE FOR THE LOCATIONS OF ALL UNDERGROUND WIRES, CABLES, CONDUITS, PIPES, MANHOLES, VALVES OR OTHER BURIED STRUCTURES BEFORE DIGGING. THE CONTRACTOR SHALL REPAIR OR REPLACE ANY DAMAGE DURING CONSTRUCTION AT NO COST TO THE OWNER.

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

ARCHITECT
COLLAGE ARCHITECTS
708 15TH AVE NE
MINNEAPOLIS, MN 55413
(P) - 651-642-9200
CONTACT: PETE KEELY, AIA

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PRELIMINARY NOT FOR CONSTRUCTION

INDEX OF SHEETS
1. All work shall be completed in accordance with Minnesota Department of Transportation Specifications and Standards.
2. All construction shall be performed in accordance with the plans and specifications. Requests for information shall be made in writing to the owner, engineer, or architect. Any contract modifications shall be in writing and approved by the owner, engineer, or architect.
3. The contractor shall provide all necessary labor, equipment, materials, and supplies to complete the work as required by the plans and specifications.
4. The contractor shall be responsible for obtaining all necessary permits, licenses, and approvals required by law or regulation.
5. The contractor shall be responsible for all costs incurred in complying with applicable laws, regulations, and codes.
6. The contractor shall be responsible for all costs incurred in complying with the terms and conditions of the contract.
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The bearing system is based on the plat of BREN TRAIL.

Lot 1
Lot 1, Block 1, Bren Trail, Hennepin County, Minnesota.

Parcel A:
Lots 1 and 3, Block 1, Bren Trail, Hennepin County, Minnesota.

Parcel B:
Lot 2, Block 1, Bren Trail, Hennepin County, Minnesota.

Lot 2, Block 14, Opus 2 Fourth Addition.

Lot 3
Lot 3, Block 14, Opus 2 Fourth Addition.

Lot 1
Lot 1, Block 1, Bren Trail, Hennepin County, Minnesota.

Parcel A:
Lots 1 and 3, Block 1, Bren Trail, Hennepin County, Minnesota.

Parcel B:
Lot 2, Block 1, Bren Trail, Hennepin County, Minnesota.

Lot 3
Lot 3, Block 1, Bren Trail, Hennepin County, Minnesota.

Lot 1
Lot 1, Block 14, Opus 2 Fourth Addition.

Lot 2
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Lot 3
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Parcel A:
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Lot 1
Lot 1, Block 14, Opus 2 Fourth Addition.

Lot 2
Lot 2, Block 14, Opus 2 Fourth Addition.

Lot 3
Lot 3, Block 14, Opus 2 Fourth Addition.
## Tree Preservation Summary

<table>
<thead>
<tr>
<th>Tree Category</th>
<th>Existing Trees</th>
<th>Total Mitigation Rate</th>
<th>Total Dbh Total (in)</th>
<th>Total Height Total (ft)</th>
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<td>996</td>
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<td>High Priority</td>
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<td>Significant</td>
<td>27</td>
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<td>74</td>
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</tr>
</tbody>
</table>

### Legend

- **Coniferous Tree**
- **Deciduous Tree**

**Drawn By:**

**Issue Date:**

**Project #:** 7265-01
**SITE NOTES**

1. *ALL WORK AND MATERIALS SHALL COMPLY WITH ALL CITY / COUNTY REGULATIONS AND CODES, AND 0.5% SLOPE IN ANY DIRECTION*. 

2. CONTRACTOR SHALL REFER TO THE ARCHITECTURAL PLANS FOR EXACT LOCATIONS OF AND DIMENSIONS OF VESTIBULES, SLOPE PAVING, SIDEWALKS, EXIT PORCHES, TRUCK DOCKS, PRECISE BUILDING DIMENSIONS, AND EXACT BUILDING SIZE AND LOCATION.

3. CONTRACTOR SHALL REFER TO THE GEOTECHNICAL REPORT FOR EXACT LOCATIONS OF AND DIMENSIONS OF VESTIBULES, SLOPE PAVING, SIDEWALKS, EXIT PORCHES, TRUCK DOCKS, PRECISE BUILDING DIMENSIONS, AND EXACT BUILDING SIZE AND LOCATION.

4. ALL DISTURBED AREAS ARE TO BE RECLAIMED SIX INCHES OF TOPSOIL, SEED OR SOIL, AND WATER UNTIL GRAVEL IS FULLY ESTABLISHED. REFERENCE LANDSCAPE PLAN FOR DETAIL.

5. LANDSCAPE DESIGN, GROUND COVER, AND PLANTING ARE TO BE AS DETAIL IN LANDSCAPE DESIGN, GROUND COVER, AND PLANTING.

6. CONCRETE SPACING SHALL HAVE MAX ASPECT RATIO OF 1.5 AND SHALL BE AS DETAIL IN LANDSCAPE DESIGN, GROUND COVER, AND PLANTING.

7. CONCRETE JUNCTURE SHALL HAVE MAX ASPECT RATIO OF 1.5, AND SHALL BE AS DETAIL IN LANDSCAPE DESIGN, GROUND COVER, AND PLANTING.

**PROPOSED PARKING COUNT**
- 340 STALLS
- UNDERGROUND PARKING: 293 STALLS
- TOTAL PARKING COUNT: 633 STALLS

**GREENSPACE SUMMARY**
- TOTAL AT GRADE: ±102,619 SF
- PERVIOUS AREA: ±169,562 SF (±3.89 AC)
- LOT AREA: ±68,701 SF

**SITE LEGEND**
- PROPOSED B612 CURB AND GUTTER
- CONCRETE SIDEWALK: SEE DETAIL
- STANDARD DUTY BITUMINOUS PAVEMENT
- REFER TO GEOTECHNICAL REPORT FOR DETAIL
- ACCESSIBLE CURB RAMP: SEE DETAIL
- ACCESSIBLE PAVING SIGN
- ACCESSIBLE VAN PARKING SIGN

**SITE LIGHTING**
- REF. PHOTOMETRIC PLANS

**GENERAL SITE PLAN**
- DETAIL FOR ELEVATIONS
- DETAIL FOR DETAIL

**DIRECTORY**
- INFORMATION TAKEN FROM A SURVEY BY JAMES R. HILL, INC.
- GEOTECHNICAL REPORT

**WARNING**
- OWNER IS RESPONSIBLE FOR LOCATION OF ALL UNDERGROUND UTILITIES.
- CONTRACTOR SHALL CONSULT WITH THE OWNER TO DETERMINE THE LOCATION OF ALL UNDERGROUND UTILITIES. OWNER IS RESPONSIBLE FOR THE LOCATION OF ALL UNDERGROUND UTILITIES. CONTRACTOR SHALL REFER TO THE SITE PLAN FOR DETAIL.
EROSION CONTROL LEGEND

- PROPERTY LINE
- BASEMENT LINE
- LIMITS OF CONSTRUCTION
- PROPOSED MINOR CONTOUR
- PROPOSED MAJOR CONTOUR
- SILT FENCE
- RAIL PROTECTION
- TREE PROTECTION (ONLY USE SILT FENCE AS NECESSARY)

NOTE: LIMITS OF DISTURBANCE AND SILT FENCE ARE SHOWN OFFSET FROM GRADING LIMITS FOR CLARITY. OFFSITE WORK IS LIMITED TO DRIVEWAY CONNECTIONS. CONTRACTOR TO INSTALL AND MAINTAIN EROSION PROTECTION ON ALL AREAS RECEIVING STORMWATER RUNOFF FROM THE SITE.

EROSION CONTROL NOTES

1. All perimeter silt fence and rock construction entrance boundaries shall be installed prior to construction.
2. The contractor shall install catch-basin sediment control measures prior to any construction activities.
3. All disturbed areas shall be stabilized with sod or rok covers. All exposed soil areas shall be protected with silt fencing, site grading and completed within two weeks (14 days). Refer to landscape plans for materials.
4. All erosion control measures shall be installed and maintained in accordance with city, state, and watershed district permits.
5. The contractor shall install and maintain erosion control measures throughout construction. Sediment shall be removed at regular intervals. Sediment buildup shall be removed when it reaches the height of the silt fence above ground elevation.
6. The erosion control measures installed on site shall be removed by the contractor.
7. All erosion control measures installed on site shall be stabilised and vegetation shall be established.
8. The contractor shall remove all silt and sediment tracked onto existing streets and paved areas.
9. If blowing dust becomes a nuisance, the contractor shall be responsible for cleaning up the area and for removing the debris from the site.
10. All disturbed areas shall be stabilized and vegetation shall be established.
11. A minimum of vegetation shall be planted on all disturbed areas.

WARNING:

Contractor shall cooperate and coordinate with all utility companies in maintaining their service and/or relocation of lines. Contractor shall repair or replace the above when damaged during construction. Contractor shall remove all soils and sediment tracked from construction activities. Contractor shall sweep adjacent street in accordance with city and state requirements. Contractor shall remove all erosion control measures after site has been stabilized and vegetation is established.

THE CONTRACTOR SHALL INSTALL AND MAINTAIN EROSION PROTECTION ON ALL AREAS RECEIVING STORMWATER RUNOFF FROM THE SITE.

THE CONTRACTOR SHALL CONTACT GOPHER STATE ONE CALL AT 651-454-0002 AT LEAST 48 HOURS IN ADVANCE FOR THE LOCATION OF ALL UNDERGROUND IRRIGATION, EXCAVATION, GAS, OIL, ELECTRIFIED, TELEPHONE, COMBINED DRAINAGE AND STORM DRAINAGE MAINS AND LINES. CONTRACTOR SHALL CALL GO FOR SMALL REPAIRS OR REPLACES THE ABOVE MENTIONED UTILITY LINES.

NOTE: LIMITS OF DISTURBANCE AND SILT FENCE ARE SHOWN OFFSET FROM GRADING LIMITS FOR CLARITY. OFFSITE WORK IS LIMITED TO DRIVEWAY CONNECTIONS. CONTRACTOR TO INSTALL AND MAINTAIN EROSION PROTECTION ON ALL AREAS RECEIVING STORMWATER RUNOFF FROM THE SITE.

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

EROSION CONTROL

NOTE: LIMITS OF DISTURBANCE AND SILT FENCE ARE SHOWN OFFSET FROM GRADING LIMITS FOR CLARITY. OFFSITE WORK IS LIMITED TO DRIVEWAY CONNECTIONS. CONTRACTOR TO INSTALL AND MAINTAIN EROSION PROTECTION ON ALL AREAS RECEIVING STORMWATER RUNOFF FROM THE SITE.
GRADING NOTES

1. All work shall be performed in accordance with the City of Minnetonka, subdivision and building permit requirements.

2. Contractor to call 888-432-1166 at least two working days prior to excavation or construction of any utility excavations.

3. Contractor to field verify the locations and elevations for existing utilities and topographic features prior to the start of site grading. Contractor shall immediately notify the project engineer of any discrepancies or variations.

4. Subgrade excavation shall be backfilled immediately after excavation to help offset any stability problems due to water seepage or steep slopes. When placing new surface materials adjacent to existing pavement, the excavation shall be backfilled promptly to avoid undermining of existing pavement.

5. All excess material, disused surfacing, concrete items, any abandoned utility items, and other undesirable materials shall become the property of the contractor and shall be disposed of on the construction site.

6. Reference C-001 storm sewer plan for storm sewer man, layout, elevations, castings, and structures.

7. Reference E-001 utility plan for sanitary sewer man, water main, service layout, elevations, castings, and structures.

8. Contractor is responsible for construction of pavements and curb and gutter with smooth uniform slopes to provide positive drainage.

9. Establish a minimum of 6" of aggregate base under curb and gutter.

10. Upon completion of excavation and filling, contractor shall restore all streets and disturbed areas on site. All disturbed areas shall be re-vegetated with a minimum of 0' of topsoil.

11. All spot elevations and contouring are to flowline / finished grade unless otherwise noted.

12. Grading for all sidewalks and accessible routes including crossing driveways shall conform to current ADA, state, and local standards. Slopes shall not exceed 1:4 slope ratio or exceed 2% slope if area is subject to ADA requirements. All doors shall be ADA compliant. Contractor shall notify engineer immediately if ADA criteria cannot be met in any location.

13. Maintain a minimum of 0.5" gutter slope towards low points.
PROPOSED FIVE-STORY MULTI-FAMILY RESIDENTIAL ±15,385 G.S.F. AT F.F.E.
F.F.E.: ±902.0'
L.F.E.: ±890.2'

PROPOSED SIX-STORY MULTI-FAMILY RESIDENTIAL ±46,983 G.S.F. AT F.F.E.
F.F.E.: ±902.0'
L.F.E.: ±892.0'

DOG RUN AREA
UNDERGROUND INFILTRATION VAULT
100-YR HWL: ±891.4'

PROPOSED GRADING OF THE EXISTING TRAIL AND WEST OF THE LIMITS OF DISTURBANCE BY OTHERS (TYP.)

POTENTIAL RETAINING WALL - BY OTHERS
RE-DESIGN BY METRO TRANSIT REQUIRED
TIE INTO TRAIL WING WALL TO WEST (BY OTHERS)

FUTURE LIGHT RAIL TRACK ALIGNMENT PROPOSED GRADE SHOWN

PROPOSED 6" DRAINTILE BY OTHERS

WARNING:
THE CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING FOR LOCATIONS OF ALL EXISTING UTILITIES. THEY SHALL COOPERATE WITH ALL UTILITY COMPANIES IN MAINTAINING THEIR SERVICE AND/OR RELOCATION OF LINES. THE CONTRACTOR SHALL CONTACT GOPHER STATE ONE CALL AT 651-454-0002 AT LEAST 48 HOURS IN ADVANCE FOR THE LOCATIONS OF ALL UNDERGROUND WIRES, CABLES, CONDUITS, PIPE, BRIDGES, DUCTS OR OTHER BURIED STRUCTURES BEFORE DIGGING. THE CONTRACTOR SHALL REPAIR OR REPLACE THE ABOVE WHEN DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.

TWIN CITY AREA: 651-454-0002
TOLL FREE 1-800-252-1166
1. STORM SEWER PIPE SHALL BE RCP.

2. STORM SEWER PIPE SHALL BE RCP.

3. ALL CATCH BASIN STRUCTURES SHALL BE CONSTRUCTED TO MAXIMIZE WATER DRAINAGE IN GREEN AREAS, WITH WATER-TIGHT LIDS.

4. ALL STORM SEWER SHALL BE INSTALLED IN ACCORDANCE WITH MINNESOTA'S OPEN CHANNELS AND LONDON MATERIALS.

5. ALL UTILITIES SHOULD BE KEPT TEN FEET (10') APART UNLESS EXISTING UTILITY LOCATIONS REQUIRE LESS SPACE.

6. LINES UNDERGROUND SHALL BE INSTALLED, INSPECTED, AND ACCORDANCE TO MINNESOTA'S OPEN CHANNELS AND INSTALLATION OF ALL UTILITIES.

7. CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE INSTALLATION OF ANY NEW LINES.

8. CONTRACTOR IS RESPONSIBLE FOR COMPLYING TO THE SPECIFICATIONS OF THE LOCAL AUTHORITIES OF THE CITY OF MINNETONKA WITH REGARDS TO MATERIALS AND INSTALLATION OF ALL UTILITIES.

9. CONTRACTOR SHALL Coordinate WITH ALL UTILITY COMPANIES AT LEAST 72 HOURS BEFORE ANY EXCAVATION WORK TO NOTIFY THE APPROPRIATE UTILITY COMPANIES OF THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS.

10. CONTRACTOR SHALL COORDINATE WITH ALL UTILITY COMPANIES AT LEAST 72 HOURS BEFORE ANY EXCAVATION WORK TO NOTIFY THE APPROPRIATE UTILITY COMPANIES OF THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS.

11. CONTRACTOR IS RESPONSIBLE FOR ALL NECESSARY INSPECTIONS AND/or CERTIFICATIONS REQUIRED BY CODES AND/or UTILITY SERVICE COMPANIES.

12. CONTRACTOR SHALL COORDINATE WITH ALL UTILITY COMPANIES FOR INSTALLATION REQUIREMENTS AND SPECIFICATIONS.

13. ALL STORM SEWER SHALL BE INSTALLED IN ACCORDANCE WITH MINNESOTA'S OPEN CHANNELS AND LONDON MATERIALS.

14. ALL PORTIONS OF THE STORM SEWER LOCATED WITHIN 10 FEET OF THE BUILDING OR WATER SERVICE LINES MUST BE INSTALLED IN ACCORDANCE WITH MINNESOTA'S OPEN CHANNELS AND LONDON MATERIALS.

15. FIRE TO MAINLINE CONNECTIONS SHALL BE INSTALLED WITH RESILIENT RUBBER CONNECTORS MEETING ASTM C-583.

16. ALL UTILITIES SHOULD BE KEPT TEN FEET (10') APART UNLESS EXISTING UTILITY LOCATIONS REQUIRE LESS SPACE.

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21. CONTRACTOR SHALL COORDINATE WITH ALL UTILITY COMPANIES FOR INSTALLATION REQUIREMENTS AND SPECIFICATIONS.

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OPUS DEVELOPMENT
ORIGINAL CONCEPT
CROSSROADS OF TOMORROW, TODAY
NEW LIFE IN THE RAW FRONTIER

In the early 1800's, Minnesota was a vast tract of land inhabited only by various bands of Chippewa and Sioux Indians. Around the middle of the century things started to change. Settlers arrived in increasing numbers at St. Paul Landing, the recently designated political capitol for the large expanse of land between the St. Croix and Missouri Rivers.

After a short stay in St. Paul, many of the settlers moved further up river to the smaller village of St. Anthony, the sawmill town by the falls. St. Paul and St. Anthony, both raw frontier communities, offered the excitement, hustle and bustle characteristic of newly created boom towns.

The trail to points west led from these fledgling cities past Lake Calhoun, Lake Harriet, paralleled Minnehaha Creek and eventually ended in the rich farm land surrounding Lake Minnetonka. Those here for the purpose of homesteading or farming followed this trail westward in search of fertile land.

The area comprising Hopkins, Minnetonka, Edina and Eden Prairie soon was settled with families. Civilization had come to this newly instituted Territory of Minnesota. The areas that were populated by these pioneers eventually became towns and villages that still exist today.
The Township of Eden Prairie and Minnetonka came into existence in 1858. Eden Prairie's name was bestowed on it by Elizabeth Ellet, an author of national fame. She was impressed with the beautiful rolling prairies and likened them to her conception of the Garden of Eden. Others must have agreed with her as the township was officially chartered under the name of Eden Prairie in 1858.

About the same time, the Township of Minnetonka was officially chartered, taking its name from the large lake close by. The lake was originally named Peninsula Lake by Calvin Tuttle and Simon Stevens, earlier pioneers. Governor Alexander Ramsey later renamed it Minnetonka, a Sioux word meaning big water.

Hopkins, then a part of Minnetonka Township, had its beginning roughly around 1870. The Minneapolis and St. Louis Railway purchased right-of-ways across farmers' land for their line to St. Louis, Missouri. Once the line was completed, a station was constructed opposite the home of Harley Hopkins and was given the name of Hopkins. With the added growth brought by the railroad, Hopkins became an entity in its own right and in 1887 the village was formally incorporated and separated from Minnetonka Township.

In 1888, Edina followed suit, electing to make their settlement a separate village from that of Richfield. Andrew and John Craik, immigrants from the Old World and pioneers in the new Territory, had come to Minnesota from Edinburgh, Scotland. They opened a flour mill and named it Edina in honor of their homeland. It is from the Craik brothers' Edina flour mill that the village of Edina took its name.

From their first perilous foothold, these four cities grew and prospered. Today, they offer Minnesota a heritage rich in determination, vision and progress, a history as much a part of the present and future as it is of the past.

At the convergence of these four progressive communities, a new pioneering effort has begun. 410 acres of small truck farms and private estates that once belonged to the Minnesota Pioneers has been acquired by Rauenhorst Corporation. The land, located in Minnetonka, Edina, and Eden Prairie, and bordered by Hopkins, will be the site of a new innovative community geared to our modern way of working and living.
There has long been a need for a new approach to community planning, especially on a large scale. Major cities, unlike smaller communities, are decades behind in responding to our present needs, work habits and life styles. Traffic systems and patterns can no longer handle the growing number of commuters. Present day transportation is producing a pollution problem that was undreamed of back in the 1950's and early 60's. Today's major cities are no longer people oriented.

Mr. Rauenhorst, aware of the direction community planning has taken in the last twenty years and of the problems that have resulted, devised an entirely new approach, one that was people oriented. He called it Opus 2.

Opus 2 combines the history of the past, needs of the present and the projected requirements of the future into a self-contained working/living center offering 95% of what is essential to life. It coordinates office, industrial, commercial and residential areas into an integral working/living environment able to provide jobs, recreation, housing, shopping, medical and cultural facilities. It is self-sustaining, making it profitable for companies to locate there, and it is convenient for commuting. Opus, which means creation, is an appropriate name to apply to this unusual approach to community planning.
Opus 2 went from concept to reality when Data 100 approached Rauenhorst Corporation to build new Corporate Headquarters, an office and plant facility. Rauenhorst was asked to find a suitable site within a designated area. Twenty-five acres were eventually located west of the Twin Cities bordered by Shady Oak Road, County Road 18 and Crosstown Highway 62. While in the process of acquiring the land for Data 100, Rauenhorst noticed that the adjoining acreage was also available. The area was ideal for the Opus 2 concept. The most important criteria were there: Proximity to the surrounding communities, existing access through roads and freeways and over 400 acres of undeveloped land in a suburban location. Rauenhorst Corporation decided to use this opportunity to implement Opus 2.
PREPARATION AND CONSERVATION

Much in-depth research was required concerning the environmental aspects of Opus 2's impact on the area. Independent studies were initiated to determine the feasibility of the automobile primary road system and the pedestrian traffic secondary road system concept as it related to the land use pattern. An environmental assessment was performed. Informal meetings were held with several different agencies, councils, commissions, and governments at the staff level including: the Nine Mile Creek Watershed District, the Environmental Quality Control Council, the Metropolitan Council, the Hennepin County Highway Department, the planning and engineering staffs of Edina, Eden Prairie, Hopkins, and Minnetonka, the Hennepin County Conservation Department and the Metropolitan Transit Commission.

Input received from these groups helped to determine the strength of each element of the Opus 2 concept and how well it would work with other elements of the plan.

One of the main elements Rauenhorst Corporation considered during planning was preservation of the area’s natural amenities. Rather than redesign the topography to fit the needs of Opus 2, Opus 2 has been designed to coordinate with the environment that already exists. Great care is being taken to preserve ecosystems such as wooded sections, marshes, knolls, valleys and natural water retention areas that enrich and enhance the environmental setting. It is this care and concern for the unspoiled beauty of the land that makes Opus 2 unique.
WORKING IN OPUS 2

Opus 2 is a staged development, taking an estimated ten years for completion. The industrial and office portions of Opus 2, consisting of 2 million square feet, are presently being developed. These will be coordinated with the 55,000 square foot neighborhood convenience shopping center, some residential housing and the 300,000 square foot multi-purpose service center.

Designed to fit today's working/living needs, Opus 2 offers many advantages not found elsewhere. Opus 2's location is nearly perfect for the businessman. Services such as restaurants, hotels, shopping centers, and some of the Twin Cities' greatest recreational facilities are located either in Opus 2 or are just moments away. Opus 2 is serviced by one of the metropolitan area's major arteries, Crosstown Highway 62, which puts the office, commercial and industrial areas of downtown Minneapolis, downtown St. Paul, the suburbs that circle the metropolitan area and the Minneapolis/St. Paul International Airport within minutes of the busy executive. Opus 2 is situated in the heart of the blue and white collar labor markets and is surrounded by four executive residential communities.

Added to this, buildings constructed in Opus 2 are architecturally designed to meld with the environment, avoiding visual congestion and enhancing the natural scenic amenities.

As Opus 2 was being engineered, much thought was given to controlling traffic peaks, thus avoiding rush hour traffic jams. The result is a dual roadway system.
that intra-connects Opus 2. It consists of a one-way primary roadway for standard automobiles and a two-way secondary roadway for pedestrian, bicycle traffic and electric vehicles. The two systems are totally separate and are bridged wherever they intersect. Traffic from the primary system can't cross over or interfere with traffic on the secondary system. Counter-rotating traffic circles and the use of one-way streets in the primary system enable 50,000 vehicles to move in and out of Opus 2 daily without ever encountering oncoming vehicles, traffic signals or stop signs. This transportation system permits easy employee and customer access to all areas of Opus 2 in a continuous and uninterrupted fashion.

Opus 2 is in an ideal location for eventually connecting with mass transportation systems of the surrounding communities of Hopkins, Edina, Eden Prairie, Minnetonka, Minneapolis and St. Paul. Although Opus 2 is presently only minutes from these office, commercial and industrial areas, interconnected mass transportation will further tie Opus 2 into the Metropolitan business community.
LIVING IN OPUS 2

The central feature that blends the office, commercial and industrial portion of Opus 2 with the residential areas is the focal point of the working/living community, the multi-purpose service center. This structure, intended to serve Opus 2 and the surrounding area, will combine a number of uses on the same site. Proposed are high-value specialty shops, cultural facilities such as a community theater, an ecumenical chapel, dining establishments, police, fire and medical auxiliary services, all combined and located in a uniquely designed building.

Situated within casual walking distance of the multi-purpose service center will be a number of neighborhoods, each with its own architectural style and individual characteristics. They will be serviced by the same primary and secondary roadway system that intra-connects the office, commercial and industrial portions of Opus 2.

The treatment of the residential areas will reflect the Rauenhorst Corporation commitment to preserve and enhance the natural environment. Exquisitely manicured grounds will accent the aesthetically designed buildings. Each neighborhood will vary in density and will be convenient to the office, commercial and industrial portions of Opus 2, as well as to the surrounding services, communities, mass transportation systems, parks and recreational areas. The housing will range from rental units to condominiums, providing a way of life that is both distinctive and elegant. Residents will enjoy comfort, beauty, quality and peace of mind living.

Opus 2 living is designed for the discriminating. The over one thousand units planned will provide the ultimate in modern living, offering a new vista in housing experience.
EXCITING CHALLENGES

Numerous challenges are presented by the Opus 2 project; corporate headquarters with adjacent housing, mixed professional, commercial, office, and research facilities, industrial condominiums, preservation of natural amenities, aesthetically designed buildings, new techniques of crime prevention through internal security systems, experimentation with energy supply, the primary/secondary roadway concept, mass transit systems and people movers. These are just a few of the exciting developments planned for Opus 2.

Intense research is presently underway concerning the last category, people movers. Proposed are electric vehicles. They would be advantageous to residents as they would adapt to the dual roadway concept, would cost a fraction of the present sub-compact car, both to purchase and to operate, and they would be non-polluting.

RAUENHORST CORPORATION AND OPUS 2

Opus 2 originated from Mr. Rauenhorst’s deep-seated conviction that he and his firm have a responsibility to society to research and create new methods and ideas for living and working. These new ideas are then implemented through the Rauenhorst Corporation concept of Total Responsibility which includes: site selection, architectural design, financing, development, engineering, construction, leasing, management and maintenance—all under one unified contract. As applied to Opus 2, the Total Responsibility concept has played a major role in helping to create a compatible working/living environment, developed and maintained along stringent standards, that will provide 95% of what is essential to life as well as ensure steadily increasing property values for your firm’s investment. Therefore, Opus 2 isn’t just another development. It’s a singular working/living experience at the crossroad of what was, and what ought to be.

OPUS 2—CROSSROADS OF TOMORROW, TODAY.
THE CITY OF MINNETONKA

Critical to the development of an enterprise such as Opus 2 is the understanding, and support of local governmental bodies during the planning, programming, and construction phases. We have been fortunate indeed to have had a cooperative endeavor emerge with a number of such governmental groups, but especially with the City of Minnetonka. Even as we wrote our Opus 2 brochure, events were moving forward with gratifying rapidity. Zoning of our industrial park and commercial areas was obtained, concept plan approval for the housing area of the plan was granted, and an industrial revenue bond issue providing for the timely completion of the industrial/commercial areas was authorized by the City Council.

We at Rauenhorst Corporation extend special thanks and appreciation to the Council, Planning Commission, and Staff of Minnetonka for their assistance in making the promise of Opus 2 a reality today.

[Signature]

Gerald Rauenhorst