CITY COUNCIL
MEETING AGENDA
August 3, 2020
7:00pm

Please note that the regular City Council meetings will be held via teleconferencing until further notice due to the COVID-19 pandemic. To listen live to the Minnetrista City Council meeting, call +1 (872) 240-3212 and enter meeting Access Code 112-652-485 #, or join the meeting from your computer, tablet or smartphone by accessing the following: https://global.gotomeeting.com/join/112652485

This meeting is being conducted via GoTo Meeting, not Zoom.

1) Call to Order

a) Pledge of Allegiance

b) Introductions: City Council: Mayor Lisa Whalen, Pam Mortenson, Mike Molitor, Shannon Bruce and John Tschumperlin; Staff: City Administrator Michael Barone, Community Development Director David Abel, Finance Director Brian Grimm, Director of Public Safety Paul Falls, Director of Administration Allie Polsfuss, Public Works Superintendent Gary Peters and City Clerk Kris Linquist. Consultants: City Attorney Ron Batty, Kennedy & Graven and City Engineer Alyson Fauske, WSB Engineering.

c) Approval of Agenda

2) Special Presentations - None

3) Persons to Be Heard

The City Council invites residents to share new ideas or concerns related to city business; however, individual question and remarks are limited to three (3) minutes per speaker. No City Council action will be taken, although the Council may refer issues to staff for follow up or consideration at a future meeting. The mayor may use discretion if speakers are repeating views already expressed or ask for a spokesperson for groups of individuals with similar views. Speakers should state their name and home address at the podium before speaking.

4) Consent Agenda

a) Approve City Council Special Meeting Minutes from July 9, 2020

b) Approve City Council Regular Meeting Minutes from July 20, 2020

c) Res. No. 079-2020 Approve Claims

d) Res. No. 080-2020 Approve Home Occupation Conditional Use Permit for Benjamin Bjorklund at 6225 Sunnyfield Road East

e) Res. No. 081-2020 Approve Variances for Jeffrey and Amanda Dischinger at 3399 Kings Point Road

f) Res. No. 082-2020 Approve Variance for Joshua and Jennifer Riff at 4779 Crane Island

g) Res. No. 083-2020 Approve Extension to Variance Approval for Elliott and Christina Loutsch at 4896 Red Oak Lane

5) Public Hearings - None

6) Business Items

a) Storm Water Asset Management Program (SWAMP) update

b) Road fund update

c) Discussion of Cares Act Funding

7) Administrative Items

a) Staff Reports

i) City Administrator

ii) City Engineer

b) Council Reports

i) Mayor Lisa Whalen – *Economic Development Authority; Personnel Committee; Planning Commission (rotating); Police Communications Committee; Northwest Hennepin League of Municipalities; Minnehaha Creek Watershed District; Gillespie Center Advisory Council; Mound Fire Advisory Committee (alternate); Parks Commission (rotating)*

ii) Pam Mortenson – *Acting Mayor; Personnel Committee; Economic Development Authority; Planning Commission (rotating); Parks Commission (rotating); Westonka Community & Commerce*

iii) Mike Molitor – *Economic Development Authority; Planning Commission (rotating); Parks Commission (rotating);*

iv) Shannon Bruce – *Economic Development Authority; Planning Commission (rotating); Parks Commission (rotating); Mound Fire Advisory Committee; St. Bonifacius Fire Advisory Committee; Pioneer-Sarah Creek Watershed Management Commission (alternate)*

v) John Tschumperlin –*Planning Commission (rotating); Parks Commission (rotating); Economic Development Authority; Pioneer-Sarah Creek Watershed District*

8) Adjournment

The agenda packet with all background material is located at the back table for viewing by the public. Published agenda is subject to change without notice. Information and materials relating to the above items are available for review at city hall by appointment.

CITY COUNCIL
SPECIAL MEETING
MINUTES
July 9, 2020
3:30 p.m.

***This Meeting was taped by teleconference due to the Coronavirus Pandemic**

1) Call to Order

Mayor Whalen called the meeting to order at 3:30 p.m.

a) Introductions:

Roll Call was taken by Mayor Lisa Whalen
City Council: Mayor Lisa Whalen, Mike Molitor, John Tschumperlin and Shannon Bruce; Staff: City Administrator Michael Barone, Director of Administration Allie Polsfuss and City Clerk Kris Linquist; Consultants: City Attorney Andrew Biggerstaff, Kennedy and Graven
Absent: Pam Mortenson

c) Approval of Agenda

Motion by Tschumperlin, seconded by Bruce to approve the agenda as presented. Roll Call Motion carried 4-0. Absent: Mortenson.

2) Special Business Item

a) Res. No. 072-2020 Approve Appointment of Election Judges for the 2020 Primary Elections and Protocols

City Attorney Biggerstaff overviewed the staff report dated July 9, 2020 that was included in the packet.
Highlights included:

- Appointment of Election Judges
- Party Balance in polling locations
- Absentee Ballot Board members

There was discussion on appointing all the election judges as absentee ballot board judges. Not all election judges would be absentee ballot board judges.

There was discussion on whether the election judges would have time to be trained as absentee ballot board judges. Polsfuss overviewed the process City Clerk / Election Administrator Linquist will take to train the absentee ballot board.

There was discussion on if the Clerk/Election Administrator really needs to be on the resolution since it is a part of her position. There was further discussion on statutes regard appointing additional election judges within the 25 days prior to election day. It was decided to take out the last paragraph of the resolution pertaining to the City Clerk / Election Administrator duties.

Motion by Bruce, seconded by Tschumperlin to adopt Resolution No. 072-2020 Appointing Election Judges / Absentee Ballot Board for the 2020 Primary Elections with the last paragraph of the resolution removed pertaining to the City Clerk / Election Administrator duties.
Roll call motion carried 4-0. Absent: Mortenson

3) Adjournment

Motion by Bruce, seconded by Molitor to adjourn the meeting at 4:00 p.m.
Roll Call Motion carried 4-0. Absent: Mortenson.

Respectfully submitted,

Kris Linquist, MMMC, MMC
City Clerk

DRAFT

CITY COUNCIL MEETING
MINUTES
July 20, 2020
7:00 p.m.

***This Meeting was taped by teleconference due to the Coronavirus Pandemic**

1) Call to Order

Mayor Whalen called the meeting to order at 7:02 p.m.

a) Introductions:

Roll Call was taken by Mayor Lisa Whalen
City Council: Mayor Lisa Whalen, Pam Mortenson, Mike Molitor, John Tschumperlin and Shannon Bruce; Staff: City Administrator Michael Barone, Finance Director Brian Grimm, Community Development Director David Abel, Public Safety Director Chief Paul Falls, Director of Administration Allie Polsfuss, Public Works Superintendent Gary Peters and City Clerk Kris Linquist; Consultants: City Attorney Ron Batty, Kennedy & Graven and City Engineers Alyson Fauske and Adam Gadbois, WSB Engineering
Absent: None

c) Approval of Agenda

Motion by Mortenson, seconded by Tschumperlin to approve the agenda as presented.
Roll Call Motion carried 5-0. Absent: None.

2) Special Presentation

a) Report/Update on LMCM Budget for 2021 – Mike Kirkwood

Mayor Whalen introduced Mike Kirkwood (Minnetrista's Lake Minnetonka Conservation District representative). Kirkwood overviewed the budget for 2021 and gave an update on what has been happening this year.

b) Second Quarter Financial Update

Finance Director Grimm overviewed the second quarter financial update for 2020.

c) Coronavirus Relief Fund (CARES Act) Information

City Administrator Barone commented that the City has received the CARES Act funding and talked about what funding will be spent on. Barone stated that it looks like that the policing hours and staff time would be eligible for this use.

There was further discussion on what the money could be spent on and if it could be put into an interest bearing account. The money would have to be spent on Virus related expenditures.

3) Persons to Be Heard-None

4) Consent Agenda

a) Approve Work Session Meeting Minutes from June 1, 2020
b) Approve Work Session Meeting Minutes from June 15, 2020
c) Approve City Council Regular Meeting Minutes from June 15, 2020
~~**d) Approve City Council Special Meeting Minutes from July 9, 2020**~~
~~**e) Res. No. 073-2020 Approve Claims**~~
f) Res. No. 074-2020 Approve Status Change and Market Increase for Gary Nelson, Building Inspector
g) Res. No. 075-2020 Approve Market Increase for Robert Goodman, Building Official

Councilmember Bruce requested to remove item 4d.
Councilmember Mortenson requested to remove item 4e.

Motion by Tschumperlin, seconded by Bruce to approve items 4a, 4b, 4c, 4f and 4g as presented.
Roll Call Motion carried 5-0. Absent: None.

4d) Approve City Council Special Meeting Minutes from July 9, 2020

Councilmember Bruce commented that the motion was omitted from item 2a.
City Clerk Linquist stated that she would bring back the minutes to the August meeting with the motion in the minutes.

No action taken at this time.

4e) Res. No. 073-2020 Approve Claims

Councilmember Mortenson questioned that on page 53 of the claims there is a cost for dust abatement and then again on page 58. The City does dust abatement themselves and the first charge was for June abatement supplies and on page 58 was for the July abatement supplies.

Motion by Mortenson, seconded by Bruce to adopt Resolution No. 073-2020 Approve Claims as presented.
Roll Call Motion carried 5-0. Absent: None.

5) Public Hearing – None

6) Business Items

a) Res. No. 076-2020 Accept Quotes and Award Contract for the 2020 Sewer Lining Project, CP 05-20

Assistant City Engineer Gadbois overviewed the staff report from the Council packet dated July 20, 2020.
Highlights included:

- A quote package was prepared by WSB and submitted to three contractors.
- Two quotes were received and the lowest responsible bidder was Visu-Sewer, Inc. in the amount of $116,713.00
- The Engineer's estimate is $ 112,917.00, which included a 5% contingency

There was discussion on traffic control.

Motion by Mortenson, seconded by Tschumperlin to adopt 076-2020 Accept Quotes and Award Contract for the 2020 Sewer Lining Project, CP 05-20 to Visu-Sewer, Inc. in the amount of $116,713.00
Roll Call motion carried 5-0. Absent: None.

b) Res. No. 077-2020 Accept Quotes and Award Contract for the 2020 Overlay Project, CP 7-20

Assistant City Engineer Gadbois overviewed the staff report from the Council packet dated July 20, 2020.
Highlights included:

- A quote package was prepared by WSB and submitted it to four paving contractors.
- Four quotes were received and the lowest responsibility bidder was WM Mueller and Sons, Inc.
- The Engineer's estimate was $93,994.90

There was discussion that since the City is saving approximately $30,000, if possibly Fielding Trail could be included in the 2020 Overlay Project. Council would be in favor of this if it fits within the budget.

Staff will check with WM Mueller and Sons, Inc. to see if they can add Fielding Trail and how much it would cost. Also, to make sure the project will still fall within the completion date on the original contract.

Motion by Tschumperlin, seconded by Molitor to adopt Resolution No. 077-2020 Accept Quote and Award Contract for the 2020 Overlay Project, CP 07-20 to WM Mueller and Sons, Inc. in the amount of $93,994.90.
Roll call motion carried 5-0. Absent: None

c) Res. No. 078-2020 Authorize State Aid Payment for the Halstead Drive Street Reconstruction Project, CP 01-16

City Engineer Fauske overviewed the staff report from the Council packet dated July 20, 2020.
Highlights included:

- The project was funded with MNDOT State Aid and City funds
- To date, the City has received $1,302,800.00 in State Aid funds for this project.
- Staff would like to close out the account on this State Aid funding and would like to request an additional $11,916.73.

Motion by Mortenson, seconded by Molitor to adopt Resolution No. 078-2020 Authorize requesting a State Aid Payment for the Halstead Drive Street Reconstruction Project, CP 01-16 in the amount of $11,916.73.
Roll call motion carried 5-0. Absent: None

d) Discussion of Local Emergency Order declaration

City Administrator Barone gave an update regarding COVID-19. Chief Falls also commented that the last time the council discussed this item, things have gotten a

bit worse within the lake are community. He would like to see the Local Emergency Order. City Attorney went over the Council's options.

There was extensive discussion on whether the City should rescind the order or does the City keep the order in place. Some of the council would like to put an expiration date on the Local Emergency Order.

Motion made by Bruce to rescind the Local Emergency Order, motion died due to a lack of a second.

Council directed staff to bring this item back on August 17, 2020 for discussion.

7) Administrative Items

a) Staff Reports

i) City Administrator Barone

- Held meeting with School District regarding Sunnyfield Rd
- Fire District meeting
- Fire Commission meeting
- Progress meeting regarding SW Water tower
- Update to City Hall Front Desk

ii) Finance Director

- PNP Revenue

iii) City Engineer

- Bi-Weekly updates
- Meeting with School District regarding Sunnyfield Rd

iv) Public Works Superintendent

- Update on Sunnyfield water tower rehab

b) Council Reports

i) Mayor Lisa Whalen

- Fire District meeting

ii) Pam Mortenson

- WCC discussion of the Mound redevelopment

iii) Mike Molitor

- Nothing to report

iv) Shannon Bruce

- Fire Commission meeting

v) John Tschumperlin

- Pioneer Sarah Creek Watershed District

DRAFT

8) Adjournment

Motion by Mortenson, seconded by Molitor to adjourn the meeting at 9:17 p.m. Roll Call Motion carried 5-0. Absent: None.

Respectfully submitted,

Kris Linquist, MMMC, MMC
City Clerk

DRAFT

RESOLUTION NO. 079-2020

CITY OF MINNETRISTA

RESOLUTION APPROVING JUST AND CORRECT CLAIMS AGAINST CITY FUNDS

WHEREAS, the City Council of the City of Minnetrista, pursuant to MS 412.241, shall have the full authority over the financial affairs of the City; and

WHEREAS, the City Council reviewed the Claims for payment, with checks numbered 65525 through 65575; electronic checks E1001816 through E1001826; Claims batch includes electronic transfers for payroll in the amount of $74,634.36.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MINNETRISTA, that the attached list of claims in the amount of $389,889.60 is hereby approved.

ADOPTED this 3rd day of August 2020 by a vote of ____ Ayes _____ Nays.

_____
Lisa Whalen, Mayor

ATTEST:

_____
Kris Linquist, City Clerk

(seal)

CITY OF MINNETRISTA

*Check Detail Register©

JULY 2020 to AUGUST 2020

			Check Amt	Invoice	Comment
1010 1ST BK OF THE LAKES					
Paid Chk# 065525	8/3/2020	**A-1 STRIPES, INC.**			
E 101-43121-224	STREET MAINTENANCE SUPPLI		$1,725.00	23204	Repairing of Street Markings
	Total A-1 STRIPES, INC.		$1,725.00		
Paid Chk# 065526	8/3/2020	**ACTION FLEET,INC.**			
E 101-42110-404	VEHICLE & EQUIP MAINT		$170.00	I3446	Unit 73-Service
	Total ACTION FLEET,INC.		$170.00		
Paid Chk# 065527	8/3/2020	**ASPEN MILLS**			
E 101-42110-417	UNIFORMS		$171.71	258994	Uniform
	Total ASPEN MILLS		$171.71		
Paid Chk# 065528	8/3/2020	**AUTOMATIC SYSTEMS CO.**			
E 602-49490-227	UTILITY SYSTEM MAINT SUPPLI		$687.86	35115S	Repair of Communication issue at LS 6
	Total AUTOMATIC SYSTEMS CO.		$687.86		
Paid Chk# 065529	8/3/2020	**BANYON DATA SYSTEMS, INC.**			
E 101-41320-433	DUES & SUBSRIPT & TRAINING		$485.00	00160544	POS Support
	Total BANYON DATA SYSTEMS, INC.		$485.00		
Paid Chk# 065530	8/3/2020	**BAUER BUILT TIRE**			
E 651-49590-221	EQUIPMENT PARTS, TIRES		$965.82	940068011	Tires for Skid Steer #33
E 101-43121-404	VEHICLE & EQUIP MAINT		$65.50	940068195	Tire Repair on Truck 13
	Total BAUER BUILT TIRE		$1,031.32		
Paid Chk# 065531	8/3/2020	**BERGSLAND, PETER**			
G 101-2025	DEPOSITS PAYABLE		$5,000.00	MB-19232 R11	Temp Co Rtn-5021 Mpls Ave
	Total BERGSLAND, PETER		$5,000.00		
Paid Chk# 065532	8/3/2020	**CANON FINANCIAL SERVICES INC**			
E 101-42110-202	COPY & PRINTING SUPPLIES		$95.49	21688532	Copier
	Total CANON FINANCIAL SERVICES INC		$95.49		
Paid Chk# 065533	8/3/2020	**CAR-CO AUTO PARTS**			
E 101-43121-221	EQUIPMENT PARTS, TIRES		$12.25	49-588812	Windshield Adhesive
	Total CAR-CO AUTO PARTS		$12.25		
Paid Chk# 065534	8/3/2020	**CEMSTONE**			
E 101-43121-404	VEHICLE & EQUIP MAINT		$722.50	C2205558	Sidewalks on Pheasant Crossing
E 101-43121-224	STREET MAINTENANCE SUPPLI		$582.50	C2205576	Sidewalks on Games Dr
	Total CEMSTONE		$1,305.00		
Paid Chk# 065535	8/3/2020	**CINTAS**			
E 101-43121-417	UNIFORMS		$121.89	15949710	Uniforms
E 101-43121-417	UNIFORMS		$97.14	405642773	Uniforms
	Total CINTAS		$219.03		
Paid Chk# 065536	8/3/2020	**CITY OF ST BONIFACIUS**			
E 602-49490-390	SEWER SERVICE TO OTHER G		$19,498.00	2020-16	Hunters Crest Sanitary Sewer Flows
	Total CITY OF ST BONIFACIUS		$19,498.00		
Paid Chk# 065537	8/3/2020	**COMMERCIAL ASPHALT COMPANY**			
E 101-43121-224	STREET MAINTENANCE SUPPLI		$101.87	200615	Asphalt
	Total COMMERCIAL ASPHALT COMPANY		$101.87		
Paid Chk# 065538	8/3/2020	**CONCENTRA**			
E 101-43121-437	MISCELLANEOUS EXPENSE		$23.39	103206015	Random Drug Test

CITY OF MINNETRISTA

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JULY 2020 to AUGUST 2020

			Check Amt	Invoice	Comment
		Total CONCENTRA	$23.39		
Paid Chk# 065539	8/3/2020	**CORE AND MAIN**			
E 601-49440-227	UTILITY SYSTEM MAINT SUPPLI		$3,832.51	M281005	Pipe Clamps and Supplies for Valve Replacements at Well
E 601-49440-227	UTILITY SYSTEM MAINT SUPPLI		$2,657.81	M571157	Fire Hydrant Repair Parts
E 601-49440-227	UTILITY SYSTEM MAINT SUPPLI		$922.18	M585825	8' Hydrant Rods
		Total CORE AND MAIN	$7,412.50		
Paid Chk# 065540	8/3/2020	**CREEK HILL CUSTOM HOMES**			
G 101-2025	DEPOSITS PAYABLE		$1,000.00	MB-19201 R10	Tree Dep Rtn 5996 Hermitage Trail
		Total CREEK HILL CUSTOM HOMES	$1,000.00		
Paid Chk# 065541	8/3/2020	**DPC INDUSTRIES, INC.**			
E 601-49440-227	UTILITY SYSTEM MAINT SUPPLI		$60.00	DE000000082-	Chlorine
		Total DPC INDUSTRIES, INC.	$60.00		
Paid Chk# 065542	8/3/2020	**DVS**			
E 101-42110-404	VEHICLE & EQUIP MAINT		$210.25		Unit 70
		Total DVS	$210.25		
Paid Chk# 065543	8/3/2020	**EARL F. ANDERSON INC.**			
E 101-43121-224	STREET MAINTENANCE SUPPLI		$169.95	0123809-IN	Signs
		Total EARL F. ANDERSON INC.	$169.95		
Paid Chk# 065544	8/3/2020	**ECM PUBLISHERS, INC**			
E 101-41410-202	COPY & PRINTING SUPPLIES		$30.84	785646	Affidavit of Candidacy
		Total ECM PUBLISHERS, INC	$30.84		
Paid Chk# 065545	8/3/2020	**ENVIROTECH SERVICE INC**			
E 101-43121-224	STREET MAINTENANCE SUPPLI		$4,022.90	CD202019434	Dust Abatement Chemical
		Total ENVIROTECH SERVICE INC	$4,022.90		
Paid Chk# 065546	8/3/2020	**ETERNITY HOMES**			
G 101-2025	DEPOSITS PAYABLE		$1,000.00	MB-18044 R91	Tree Dep Rtn-5683 Sunnybrook
G 101-2025	DEPOSITS PAYABLE		$7,500.00	MB-18044 R99	Temp Co Rtn-5683 Sunnybrook
		Total ETERNITY HOMES	$8,500.00		
Paid Chk# 065547	8/3/2020	**FLOYD TOTAL SECURITY**			
E 101-42110-404	VEHICLE & EQUIP MAINT		$80.84	1369272	Fire Monitoring-PD
E 101-43121-401	BLDG/STRUCT MAINTENANCE		$38.88	1370901	Fire Alarm
		Total FLOYD TOTAL SECURITY	$119.72		
Paid Chk# 065548	8/3/2020	**FOTH INFRASTRUCTURE**			
G 490-2025	DEPOSITS PAYABLE		$679.70	65412	* Lotus Dr Construction Svcs -reimbursed from Escrow
G 490-2025	DEPOSITS PAYABLE		$717.70	65860	* Lotus Dr Construction Svcs -reimbursed from Escrow
G 490-2025	DEPOSITS PAYABLE		$817.00	66258	* Lotus Dr Construction Svcs -reimbursed from Escrow
G 490-2025	DEPOSITS PAYABLE		$5,063.00	66740	* Lotus Dr Construction Svcs -reimbursed from Escrow
G 490-2025	DEPOSITS PAYABLE		$4,187.00	67239	* Lotus Dr Construction Svcs -reimbursed from Escrow
		Total FOTH INFRASTRUCTURE	$11,464.40		
Paid Chk# 065549	8/3/2020	**FRONTIER OH**			
E 601-49440-381	ELECTRIC UTILITIES		$250.00	952-196-1926	Water Treatment
E 101-43121-321	TELEPHONE		$78.64	952-472-1082	Fire Alarm-PW
E 601-49440-381	ELECTRIC UTILITIES		$52.37	952-495-0149	Well #5 Phone Service
		Total FRONTIER OH	$381.01		
Paid Chk# 065550	8/3/2020	**GRAINGER INC.**			
E 601-49440-227	UTILITY SYSTEM MAINT SUPPLI		$1,124.28	9592317862	Hydrant Relief Valve for Tower Rehab

CITY OF MINNETRISTA

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JULY 2020 to AUGUST 2020

			Check Amt	Invoice	Comment
	Total	**GRAINGER INC.**	$1,124.28		
Paid Chk# 065551	8/3/2020	**GREAT AMERICA FINANCIAL SVCS**			
E 101-41320-322	POSTAGE		$139.95	27415605	Postage Machine
	Total	**GREAT AMERICA FINANCIAL SVCS**	$139.95		
Paid Chk# 065552	8/3/2020	**GREATER MN COMMUNICATIONS**			
E 101-42110-202	COPY & PRINTING SUPPLIES		$300.00	21811	Summer Newsletter
E 101-42401-202	COPY & PRINTING SUPPLIES		$250.00	21811	Summer Newsletter
E 101-41320-202	COPY & PRINTING SUPPLIES		$900.00	21811	Summer Newsletter
E 101-41910-202	COPY & PRINTING SUPPLIES		$700.00	21811	Summer Newsletter
E 101-43121-437	MISCELLANEOUS EXPENSE		$500.00	21811	Summer Newsletter
E 101-41410-202	COPY & PRINTING SUPPLIES		$160.50	21811	Summer Newsletter
	Total	**GREATER MN COMMUNICATIONS**	$2,810.50		
Paid Chk# 065553	8/3/2020	**GUNKEL, TAYLOR**			
G 101-2025	DEPOSITS PAYABLE		$5,000.00	MB-19201 R10	Temp Co Rtn -5996 Hermitage Trail
	Total	**GUNKEL, TAYLOR**	$5,000.00		
Paid Chk# 065554	8/3/2020	**HENN CO INFO TECHNOLOGY**			
E 401-43126-560	EQIUP AND FURNISHINGS		$632.80	1000152035	Radio Lease
	Total	**HENN CO INFO TECHNOLOGY**	$632.80		
Paid Chk# 065555	8/3/2020	**HOME DEPOT**			
E 602-49490-227	UTILITY SYSTEM MAINT SUPPLI		$119.00		Pressure Washer for Cleaning LS Floats
	Total	**HOME DEPOT**	$119.00		
Paid Chk# 065556	8/3/2020	**LANO EQUIPMENT - SHAKOPEE**			
E 101-43121-221	EQUIPMENT PARTS, TIRES		$2.40	01-766953	Retaining Clips
	Total	**LANO EQUIPMENT - SHAKOPEE**	$2.40		
Paid Chk# 065557	8/3/2020	**LEGEND COMPANIES**			
E 101-42110-401	BLDG/STRUCT MAINTENANCE		$1,140.00	79584	Maintenance HVAC Equipment
	Total	**LEGEND COMPANIES**	$1,140.00		
Paid Chk# 065558	8/3/2020	**MATRIX COMMUNICATIONS, INC.**			
E 101-41940-321	TELEPHONE		$75.00	217850	Service-Delay Ring
	Total	**MATRIX COMMUNICATIONS, INC.**	$75.00		
Paid Chk# 065559	8/3/2020	**MCCLEARY, HEIDI**			
G 101-2025	DEPOSITS PAYABLE		$5,000.00	MB-19275 R11	Rtn Tree Dep -8182 Waterset Circle
	Total	**MCCLEARY, HEIDI**	$5,000.00		
Paid Chk# 065560	8/3/2020	**METRO SALES INC**			
E 101-41320-202	COPY & PRINTING SUPPLIES		$150.00	INV1631098	Copies
E 101-41910-202	COPY & PRINTING SUPPLIES		$150.00	INV1631098	Copies
E 101-42401-202	COPY & PRINTING SUPPLIES		$111.00	INV1631098	Copies
	Total	**METRO SALES INC**	$411.00		
Paid Chk# 065561	8/3/2020	**MID COUNTY**			
E 601-49440-212	MOTOR FUELS AND LUBRICANT		$80.07	39537	Dyed Diesel Fuel
E 602-49490-212	MOTOR FUELS AND LUBRICANT		$80.07	39537	Dyed Diesel Fuel
E 101-43121-212	MOTOR FUELS AND LUBRICANT		$266.89	39537	Dyed Diesel Fuel
E 101-43125-212	MOTOR FUELS AND LUBRICANT		$106.75	39537	Dyed Diesel Fuel
E 601-49440-212	MOTOR FUELS AND LUBRICANT		$110.40	39620	Dyed Diesel Fuel
E 602-49490-212	MOTOR FUELS AND LUBRICANT		$110.40	39620	Dyed Diesel Fuel
E 101-43121-212	MOTOR FUELS AND LUBRICANT		$368.00	39620	Dyed Diesel Fuel
E 101-43125-212	MOTOR FUELS AND LUBRICANT		$147.20	39620	Dyed Diesel Fuel

CITY OF MINNETRISTA

*Check Detail Register©

JULY 2020 to AUGUST 2020

			Check Amt	Invoice	Comment
		Total MID COUNTY	$1,269.78		
Paid Chk# 065562	8/3/2020	**MN CHIEFS OF POLICE**			
E 101-42110-202	COPY & PRINTING SUPPLIES		$62.50	10853	Permits
		Total MN CHIEFS OF POLICE	$62.50		
Paid Chk# 065563	8/3/2020	**MN DEPT OF LABOR/INDUS**			
E 101-43121-401	BLDG/STRUCT MAINTENANCE		$20.00		Pressure Tank Registration Fee
E 601-49440-401	BLDG/STRUCT MAINTENANCE		$40.00		Pressure Tank Registration Fee
		Total MN DEPT OF LABOR/INDUS	$60.00		
Paid Chk# 065564	8/3/2020	**MOUND TRUE VALUE HARDWARE**			
E 601-49440-227	UTILITY SYSTEM MAINT SUPPLI		$29.98	169494	Well 1 Pressure Reducer Parts
E 101-43121-221	EQUIPMENT PARTS, TIRES		$1.94	169537	Hose
E 601-49440-227	UTILITY SYSTEM MAINT SUPPLI		$30.23	169612	Pressure Gauge Install
E 601-49440-322	POSTAGE		$19.24	169638	Shipping on Samples
E 601-49440-322	POSTAGE		$19.24	169690	Shipping on Samples
		Total MOUND TRUE VALUE HARDWARE	$100.63		
Paid Chk# 065565	8/3/2020	**NCPERS MINNESOTA**			
G 101-2380	PAYROLL CLEARING LIFE INS		$224.00	63240082020	*PERA life Ins Employer Paid
		Total NCPERS MINNESOTA	$224.00		
Paid Chk# 065566	8/3/2020	**OFFICE DEPOT -USE**			
E 101-41320-201	OFFICE SUPPLIES		$37.04	103058083001	Duster, Tape
E 101-42110-202	COPY & PRINTING SUPPLIES		$75.21	103430203001	Paper, Folders, Pads, Memos
E 101-42110-202	COPY & PRINTING SUPPLIES		$38.99	103515757001	DVD
		Total OFFICE DEPOT -USE	$151.24		
Paid Chk# 065567	8/3/2020	**OPTUM**			
E 101-41320-437	MISCELLANEOUS EXPENSE		$175.50	9412170	HSA Quarterly
		Total OPTUM	$175.50		
Paid Chk# 065568	8/3/2020	**PAWELK, MICHAEL**			
E 101-43121-417	UNIFORMS		$182.69		Boots
		Total PAWELK, MICHAEL	$182.69		
Paid Chk# 065569	8/3/2020	**SEH**			
E 601-43241-303	ENGINEERING SERV		$3,817.33	389255	SW Water Tower
		Total SEH	$3,817.33		
Paid Chk# 065570	8/3/2020	**Streicher s**			
E 101-42110-417	UNIFORMS		$64.99	I1436239	Uniforms
		Total Streicher s	$64.99		
Paid Chk# 065571	8/3/2020	**SUN LIFE FINANCIAL**			
G 101-2380	PAYROLL CLEARING LIFE INS		$1,903.50	July 2020	Life Insurance
G 101-2340	PAYROLL CLEARING HEALTH INS		$398.31	July 2020	STD
G 101-2340	PAYROLL CLEARING HEALTH INS		$656.95	July 2020	LTD
		Total SUN LIFE FINANCIAL	$2,958.76		
Paid Chk# 065572	8/3/2020	**SWATMOD LLC**			
E 101-42110-434	POLICE TRAINING		$400.00		Training (2)
		Total SWATMOD LLC	$400.00		
Paid Chk# 065573	8/3/2020	**UNITED FARMERS CORP**			
E 101-43121-221	EQUIPMENT PARTS, TIRES		$3.57	945749	Flail Marker
		Total UNITED FARMERS CORP	$3.57		

CITY OF MINNETRISTA

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JULY 2020 to AUGUST 2020

			Check Amt	Invoice	Comment
Paid Chk# 065574	8/3/2020	**WILLIAMS TOWING**			
E 101-42110-437	MISCELLANEOUS EXPENSE		$155.00	153759	* Tow-Reimbursed by owner
	Total	**WILLIAMS TOWING**	$155.00		
Paid Chk# 065575	8/3/2020	**XCEL ENERGY-MN**			
E 601-49440-381	ELECTRIC UTILITIES		$22.43	51-0011021576	Electricity-Lift 21
E 101-45202-401	BLDG/STRUCT MAINTENANCE		$12.18	51-0011024007	Irrigation
E 602-49490-381	ELECTRIC UTILITIES		$1,590.55	51-6565409-5	Electricity-Lift Stations
E 601-49440-381	ELECTRIC UTILITIES		$12.51	51-7712620-6	Electricity
E 601-49440-381	ELECTRIC UTILITIES		$23.00	51-8558010-1	Electricity
E 601-49440-381	ELECTRIC UTILITIES		$17.53	51-8724735-0	Electricity
E 101-45202-401	BLDG/STRUCT MAINTENANCE		$11.50	51-9214996-5	Irrigation
E 101-43160-381	ELECTRIC UTILITIES		$37.62	51-9440119-3	Electricity-Signal
E 101-42110-381	ELECTRIC UTILITIES		$2,157.83	51-9597547-2	Electricity-Police
E 101-43121-381	ELECTRIC UTILITIES		$259.11	51-9597553-0	Electricity-PW
	Total	**XCEL ENERGY-MN**	$4,144.26		
Paid Chk# 1001816E	7/5/2020	**AFLAC**			
G 101-2348	AFLAC INS		$413.42		* Supplemental Insurance
	Total	**AFLAC**	$413.42		
Paid Chk# 1001817E	7/6/2020	**DELTA DENTAL**			
E 101-41320-131	HEALTH & LIFE INS - E CONTR		$250.38		Delta Dental Prem - Admin
E 101-43121-131	HEALTH & LIFE INS - E CONTR		$333.17		Delta Dental Prem - PW
E 101-43125-131	HEALTH & LIFE INS - E CONTR		$78.75		Delta Dental Prem - PW
E 101-45202-131	HEALTH & LIFE INS - E CONTR		$42.40		Delta Dental Prem - PW
E 101-42110-131	HEALTH & LIFE INS - E CONTR		$919.95		Delta Dental Prem - PD
E 601-49440-131	HEALTH & LIFE INS - E CONTR		$164.36		Delta Dental Prem - PW
E 602-49490-131	HEALTH & LIFE INS - E CONTR		$142.23		Delta Dental Prem - PW
E 651-49590-131	HEALTH & LIFE INS - E CONTR		$52.42		Delta Dental Prem - PW
E 101-41910-131	HEALTH & LIFE INS - E CONTR		$42.00		Delta Dental Prem-PL
E 101-42401-131	HEALTH & LIFE INS - E CONTR		$123.05		Delta Dental Prem-Bdg
E 101-41320-131	HEALTH & LIFE INS - E CONTR		$42.00		Delta Dental Prem-Admin
E 101-43121-131	HEALTH & LIFE INS - E CONTR		$37.99		Delta Dental Prem -PW
	Total	**DELTA DENTAL**	$2,228.70		
Paid Chk# 1001818E	7/16/2020	**TASC FLEX SYSTEMS REIMBURSEMEN**			
G 101-2346	PR CLEARING DAYCARE FSA		$2,708.29		* Daycare reimbursement
	ıtal	**TASC FLEX SYSTEMS REIMBURSEMEN**	$2,708.29		
Paid Chk# 1001819E	7/24/2020	**INTERNAL REVENUE SERVICE**			
G 101-2300	PAYROLL CLEARING FED W/H		$9,758.90		* PR - Fed w/h
G 101-2320	PAYROLL CLEARING FICA		$11,347.14		* PR - SS/Medicare w/h
	Total	**INTERNAL REVENUE SERVICE**	$21,106.04		
Paid Chk# 1001820E	7/24/2020	**MN DEPARTMENT OF REVENUE**			
G 101-2310	PAYROLL CLEARING STATE W/H		$4,702.60		* State w/h
	Total	**MN DEPARTMENT OF REVENUE**	$4,702.60		
Paid Chk# 1001821E	7/24/2020	**PUBLIC EMPLOYEES RETIREMENT**			
G 101-2330	PAYROLL CLEARING PERA		$21,895.25		* Pera w/h
	Total	**PUBLIC EMPLOYEES RETIREMENT**	$21,895.25		
Paid Chk# 1001822E	7/24/2020	**EDWARD JONES**			
G 101-2370	PAYROLL CLEARING DEFERRED CO		$2,258.54		* Deferred Comp w/h
	Total	**EDWARD JONES**	$2,258.54		
Paid Chk# 1001823E	7/24/2020	**OPTUM**			

CITY OF MINNETRISTA

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JULY 2020 to AUGUST 2020

		Check Amt	Invoice	Comment
G 101-2347	HSA CLEARING ACCT	$5,950.25		HSA Employer and Employee Cont
	Total OPTUM	$5,950.25		
Paid Chk# 1001824E 7/27/2020	**ICMA**			
G 101-2370	PAYROLL CLEARING DEFERRED CO	$130.00		* Roth IRA Contributions
G 101-2370	PAYROLL CLEARING DEFERRED CO	$230.00		* Deferred Comp Contributions
	Total ICMA	$360.00		
Paid Chk# 1001825E 7/28/2020	**Petty Cash**			
E 101-41320-322	POSTAGE	$8.06		utilities - postage
E 101-42110-322	POSTAGE	$26.85		pd - postage
E 101-42110-211	CLEANING & MAINT SUPPLIES	$3.21		pd - sprayer
E 101-42110-437	MISCELLANEOUS EXPENSE	$3.86		police
	Total Petty Cash	$41.98		
Paid Chk# 1001826E 7/23/2020	**WELLS FARGO - BOND WIRES**			
E 527-47000-611	BOND INTEREST	$48,150.00		BOND INTEREST 2014B GENERAL OBLIGATION BONDS
E 529-47000-611	BOND INTEREST	$4,462.00		BOND INTEREST 2012A GENERAL OBLIGATION BONDS
E 602-47000-611	BOND INTEREST	$4,498.00		BOND INTEREST 2012A GENERAL OBLIGATION BONDS
E 532-47000-620	FISCAL AGENT FEES	$451.25		BOND PAYING AGENT FEE 2017A BONDS
E 501-47000-620	FISCAL AGENT FEES	$23.75		BOND PAYING AGENT FEE 2017A BONDS
E 601-47000-611	BOND INTEREST	$24,300.00		BOND INTEREST 2016A GENERAL OBLIGATION BONDS
E 501-47000-611	BOND INTEREST	$3,375.00		BOND INTEREST 2016A & 2017A GENERAL OBLIGATION BONDS
E 532-47000-611	BOND INTEREST	$40,100.00		2017A BOND INTEREST
E 528-47000-611	BOND INTEREST	$26,400.00		BOND INTEREST 2019A GENERAL OBLIGATION BONDS
E 601-47000-611	BOND INTEREST	$5,318.20		BOND INTEREST 2017C GENERAL OBLIGATION BONDS
E 602-47000-611	BOND INTEREST	$2,389.30		BOND INTEREST 2017C GENERAL OBLIGATION BONDS
	Total WELLS FARGO - BOND WIRES	$159,467.50		
	1010 1ST BK OF THE LAKES	$315,255.24		

Fund Summary

1010 1ST BK OF THE LAKES	
101 GENERAL FUND	$107,158.72
401 CAPITAL IMPROVEMENT PROGRAM	$632.80
490 STREET IMP CAPITAL PROJECTS	$11,464.40
501 CIP EQUIPMENT CERTIFICATES	$3,398.75
527 CIP BONDS (WAS EDA) DEBT FUND	$48,150.00
528 GAME FARM/SOUTH BAY DEBT	$26,400.00
529 HIGHLAND ROAD DEBT	$4,462.00
532 2017 A STREET PROJECTS DEBT	$40,551.25
601 WATER FUND	$42,903.67
602 SEWER FUND	$29,115.41
651 STORM WATER MGMT FUND	$1,018.24
	$315,255.24

CITY OF MINNETRISTA

CONSENT AGENDA

Subject:	**CONDITIONAL USE PERMIT: Application from Benjamin Bjorklund for a home occupation conditional use permit at 6225 Sunnyfield Road East; AP Agriculture Preserve Zoning District; PID# 11-117-24-32-0001.**
Prepared By:	**Nickolas Olson, City Planner**
Through:	**David Abel, Community Development Director**
Meeting Date:	**August 3, 2020**

Overview: Benjamin Bjorklund (the "Applicant"), has made an application for a Home Occupation Conditional Use Permit to operate dock and lift assembly and storage on the property located at 6225 Sunnyfield Road East (the "Property").

Background: The Applicant purchased the Property in September of 2017 as a primary residence. The Property is roughly 5.51 acres in size. To the Applicant, Lake Minnetonka is home. They chose to move to Minnetrista in 2017 because it allowed them to be close to family, friends and Lake Minnetonka. The decision to utilize their home as part of their business was to minimize the risks associated owning your own business and to remain in close proximity to the primary community they serve. In the attached documents submitted by the Applicant, you will find a more detailed description of the request. As for review, the City Council should consider the criteria described in City Code, which are outlined below.

Conditional Use Permit Request: City Code Section 505.05 Subd. 7 allows the City to issue Conditional Use Permits. It is the intent of the City in establishing general and specific criteria for conditional uses that such uses by subject to careful evaluation to ensure that their location, size, and design are consistent with the standards, purposes, and procedures of this section and the comprehensive plan. In acting upon an application for a Conditional Use Permit, the City will consider the effect of the proposed use upon the health, safety, and general welfare of the City by reviewing the following criteria:

1. **Factors of noise, glare, odor, electrical interferences, vibration, dust, and other nuisances; fire and safety hazards; existing and anticipated traffic conditions; parking facilities on adjacent streets and land;**
   These factors, as they relate to the home occupation, will be controlled through the addition of certain conditions for the proposed use. The Applicant will have limited hours of operation, which will be between 8:00 am and 4:30 pm Monday-Friday. This should limit the noise to normal business hours. The City's noise ordinance limits activity to between the hours of 7:00 am and 7:00 pm Monday-Friday, so the proposed hours of operation are acceptable in that respect. Most of the proposed business operations are expected to occur inside existing buildings, which should limit the other

nuisances. Outside storage will be required to be screened from view or located inside of existing buildings. An employee also serves on the Mound Fire Department, which should help alleviate any fire and general safety concerns. There will be a limited number of employees and vehicles, as well as deliveries, which will keep the traffic conditions down. There will be no use of City streets for parking of employees or other business related vehicles.

2. **The effect on surrounding properties, including valuation, aesthetics and scenic views, land uses, character and integrity of the neighborhood;**
   The effect on surrounding properties will again be controlled through certain conditions. The valuation of the Property will likely increase due to the change in use. Aesthetically, the Property will need to remain that of a residential property through the use of screening and other methods. The Applicant has expressed a desire to keep the rural and natural feel of the Property. This is shown through planting of additional trees and vegetation to help screen the uncommon residential elements of the business from neighboring properties. In keeping the rural feel and minimizing the exterior changes, the surrounding rural residential uses, character, and integrity should be maintained.

3. **Consistency with the Minnetrista Comprehensive Plan; impact on governmental facilities and services, including roads, sanitary sewer, water, and police and fire; and**
   The Minnetrista 2040 Comprehensive Plan sought to provide the opportunity for commercial and job growth. This application will provide a few new jobs to the City. There will be no significant increase in the impact to governmental facilities or services. Trips to and from the Property will be limited by the number of employees allowed and number of deliveries made to the Property. Given the size of the vehicles in use (pickup trucks and standard passenger vehicles), there should not be any detriment to the gravel road above traditional residential uses. The Property is on a private well and septic system, so there is no impact to the City water or sewer system. Again, an employee serves on the Mound Fire Department, which covers the Property, so this should help aid in the concerns relating to police and fire services given the employees knowledge and background.

4. **The effect on sensitive environmental features including lakes, surface and underground water supply and quality, wetlands, slopes, flood plains and soils; and other factors as found relevant by the City.**
   The main sensitive environmental feature on the Property is a wetland located on the eastern side of the driveway. Outside of access to and from the site, which is already existing, no proposed business activity is planned near the wetland. Wetlands are protected by the Wetland Conservation Act for which the City is the Local Government Unit (administrator). Any impacts to or near the wetland will require City review. The Applicant has also planted and will continue to plant additional trees as needed for screening. Since the Property is currently set up for the level of business that is proposed, no altering of the site conditions or grading is necessary outside of additional screening as needed.

Neighborhood Comments: Notices were sent out to all property owners within 500 feet of the subject property prior to the public hearing. To date, staff has received one written comment in support of the request from neighboring property owners and spoke to one property owner via phone. The phone call expressed concerns over the noise, but when the hours of operation and other conditions were discussed, the caller was no longer concerned at this time. A future fence was discussed as well and brought to the attention of the Planning Commission. At this time, no additional conditions were added in this regard. The Applicant was present at the public hearing to answer any questions. There was no one else present who wished to speak.

Planning Commission Meeting: At their July 27, 2020 meeting, the Planning Commission reviewed the Applicant's requested Home Occupation Conditional Use Permit. After holding the required public hearing and reviewing the entire record before them, the Planning Commission made a motion to recommend approval of the request subject to certain conditions and based on certain findings of fact. Those conditions and findings of fact are consistent with the recommended City Council action found below. Conditions #17 and #18 were added by the Planning Commission. The motion passed 7-0. Absent: Pettis and Vars (Alternate 1).

Conclusion: The City Council should review the staff report and the recommendation of the Planning Commission. After review, the City Council should consider the entire record before it prior to making a motion. Along with making a motion, findings of fact should be made which support the recommendation. Findings of fact based on the information submitted by the Applicant may be as follows:

1. The Property is guided for Permanent Agriculture on the future land use map contained within the Minnetrista 2040 Comprehensive Plan and is zoned Agriculture Preservation, which allows home occupations by Conditional Use Permit;
2. The Applicant has properly applied for a Conditional Use Permit to operate a dock and lift assembly and storage home occupation on the Property, as required by City Code;
3. The home occupation, with attached conditions, will have no negative effect upon the health, safety, and general welfare of the City and its inhabitants because the attached conditions will ensure the use is consistent with the standards, purposes, and procedures of Minnetrista City Code and Comprehensive Plan;
4. The Applicant has stated a current employee serves on the Mound Fire Department and their knowledge should help protect against fire and safety hazards;
5. The proposed conditional use will not negatively affect surrounding properties because the Property is located in a rural residential section of the City and the Applicant is not proposing any major exterior improvements that would significantly change the appearance from the neighboring properties or adjacent roadways;
6. The proposed conditional use will not negatively impact governmental facilities and services because:

a. The Property is adequately served by Sunnyfield Road and has sufficient off street parking and loading areas;
b. The Property is not connected to city utilities; and
c. The Property will be served by the Minnetrista Police Department and Mound Fire Department in the event of an emergency.

7. The Applicant is not proposing any significant exterior improvements or alterations to the Property and therefore will not negatively impact to the sensitive environmental features located on the Property.

Recommended Action: Motion to approve the requested home occupation conditional use permit to operate a dock and lift assembly and storage at 6225 Sunnyfield Road East based on the findings of fact outlined in the staff report and subject to the following conditions:

1. The Applicant must maintain the Property as their primary residence and the primary use of the Property must remain a single family residential home. The home occupation shall remain a secondary, accessory use;
2. Hours of operation shall be restricted to the hours of 8:00 a.m. through 4:30 p.m. Monday through Friday. No business activity shall be operated on Saturday, Sunday, New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day or Christmas Day;
3. The Applicant will be limited to no more than 5 work vehicles on the Property at any given time. The vehicles shall be parked inside a building or screened from view on all sides;
4. There shall be no on street parking related to the home occupation. All parking must be contained on site and screened from view or inside a building;
5. The Applicant will be limited to no more than 5 employees on the Property per day;
6. Customer visits will be limited to no more than 2 at a single time with no more than 5 visits total per business day. Customer visits are not allowed outside of the hours of operation;
7. Deliveries other than those routinely made in a residential district (U.S. Mail, United Parcel Service, etc.) shall be limited to one per quarter, or 4 times per year;
8. Any outside storage of materials, including, but not limited to, work vehicles, docks, lifts, and all other business related items shall be screened from view of adjacent properties and streets or stored inside of a building;
9. Any signage shall be limited to that allowed by City Code;
10. Any lighting installed on the Property shall be downcast and shielded from neighboring streets and properties;
11. Any outside noise shall abide by the Minnesota Pollution Control Agencies guidelines for day and nighttime activities;
12. The Applicant shall obtain all necessary permits and approvals from the City and other applicable entities with jurisdiction over the Property;
13. The City may inspect the Property, at any time, for the purposes of insuring the conditions of the Conditional Use Permit are being met;

14. The City Council reserves the right to review and revoke the Conditional Use Permit upon violation of any term or condition;
15. Any major changes in use of the Property not included with the application submittal shall require approval of an amendment to the Conditional Use Permit from the City Council;
16. The Applicant shall be responsible for all fees incurred by the City in review of this application;
17. The Applicant shall not build an additional driveway access to the Property;
18. The Applicant may store up to 15 boat lifts on the Property at any given time; and
19. Any other conditions deemed necessary by the City Council.

Attachments:

1. Location Map
2. Applicant's Narrative
3. Property Survey
4. Photographs of Property
5. Neighbor Comments
6. Res. No. 080-2020 Approving Home Occupation Conditional Use Permit for Benjamin Bjorklund at 6225 Sunnyfield Road East

6225 Sunnyfield Road East

1 in = 120 ft

N

July 21, 2020

Map Powered By DataLink

wsb

Benjamin Bjorklund
6225 Sunnyfield Rd E
Minnetrista, MN 55364
PID #: 111172432001
Zoning: Agricultural Preservation
03/25/2020

Complex Conditional Use Permit Informational Packet
City of Minnetrista
State of Minnesota

1. **See Attached**: City of Minnetrista Land Use Application

2. **Written Statements**:
    a. Contact Information:
        i. Benjamin Bjorklund (Property Owner)
            1. Address: 6225 Sunnyfield Rd. E, Minnetrista, MN 55364
            2. Phone: 952-239-5930
        ii. Jacob Youngren (Authorized Agent)
            1. Address: 12255 County Road 32, Waconia, MN 55387
            2. Phone: 952-221-5340
        iii. Shaper Engineering, LLC (Existing House Structure)
            1. PO Box 26, Mound, MN 55364
            2. 763-567-3035
        iv. Gronberg and Associates
            1. 445 N, Willow Drive, Long Lake, MN 55365
            2. 952-473-4141
    b. Site Data
        i. 6225 Sunnyfield Road East, Minnetrista, MN 55364
        ii. Current Zoning: Agriculture Preservation
        iii. Parcel Size: 5.51 Acres or 240,010 Sq. Ft.
        iv. Property Identification Number: 111172432001
        v. Legal Description: N. 408 Ft. of E. 640 Ft. of NW. 1/4 of Sw. 1/4 Ex. Road
        vi. Narrative:
            1. The house is a 3 Bedroom, 2 Bathroom with exposed wood beams and vaulted ceilings. Wooded setting with pond view. 56’ x 36’ pole building with concrete floor, 50’x30’ garage. Gravel driveway. House living area approx. 2,904 Sq. Ft. The property is currently being used as the sole residence of Benjamin Bjorklund. It is also being used for dock assembly, equipment storage, and tool storage.
            2. The previous homeowner used the property for dog agility training with the existing pole building and land.

3. The property is currently being used to store dock installation and removal tools, the vehicles requisite to install and remove docks, the winter storage of approx. 15 boat lifts, Steel Dock Substructures (Lake Minnetonka Style Boathouses and Framework) as well as poly and cedar decking

vii. Proposed Uses:

1. The property would be used for storage of marine materials as well as marine assembly and light wood working. Specifically, marine structure building (Residential Dock Systems). All assembly would be done inside of the accessory building and the majority of the material storage would be utilized in the immediate vicinity of the building.
2. Site Changes:
    a. No significant/permanent changes to the existing property are predicted or sought.
3. Existing open spaces:
    a. Open Spaces would be preserved when at all possible to reduce changes in the natural look and overall impression of the property in its current state.
4. Landscaping:
    a. Privacy fences and/or tree lines will be installed where necessary to minimize the visibility of commercial movement or action from both surrounding properties as well as the roadway. No other significant landscaping changes will be done to the property that does not maintain the residential environment of the area.
5. Traffic Circulation:
    a. The increase in traffic circulation would be negligible.
        i. It is estimated that approx. 5 additional vehicles would be on site during the standard work week between the hours of 8am-5pm.
        ii. It is estimated that approx. 2 material deliveries would occur during every quarter. These deliveries would consist of lumber and steel in quantities that do not require significant heavy equipment to handle other than what would be considered common place on a standard hobby farm or wooded acreage. These deliveries would be visible only during transit inbound and vehicle departure. Absolutely No Semi Trucks. Only straight trucks and non-tractor truck and trailer combinations would be allowed on the property at any time.
            1. Note: Road restrictions, gravel roadway, and the property entranceway are natural

restrictions to the size and frequency of material deliveries.

2. Note: due to the fact that this property lies on the direct southern roadway to Mound Westonka High School (Student body: 800-900, Staff: Approx. 116), an individual/the neighborhood would be hard pressed to see or notice any change in the amount of morning and afternoon traffic
3. Note: due to the other businesses that travel Sunnyfield Road East Monday-Friday with multiple larger trucks and at a much greater frequency than we project, a noticeable increase in traffic is not likely

6. Transition areas to adjacent properties:
    a. No changes will be made to transition areas to adjacent properties, so as to maintain the existing residential environment of the area.
7. Individual Uses for Existing and Proposed Structures:
    a. All existing and proposed structures will be used for Marine Assembly and Woodworking pertaining to marine construction. As well as the storage of materials pertaining to marine construction and its component parts.
8. Effects on Natural and Adjacent Areas:
    a. There are no foreseeable negative effects on the site or the surrounding areas. Any and all efforts will be put forth to maintain and/or enhance the natural area on the site as well as what is visible to adjacent areas. Some examples would be planting trees, keeping visible areas clear of natural and man-made debris, well-manicured grassy areas, wild flowers, etc.

viii. How proposed use would affect health, safety, general welfare (For all potential adverse effects, address how conflicts or disturbances would be avoided or mitigated):

1. Noise, Glare, Odor Electrical Interference, Vibration, Dust, Etc.
    a. Noise:
        i. The vast majority of work on the property would be done inside an accessory building, which will be insulated and sheet rocked on top of the existing structure. Noise increase would be negligible with respect to day to day activities. No motorized equipment will be used before the hours of 8am to maintain neighborhood noise standards. No day to

day operations require the extended use of Motorized Equipment on the property.
        1. Some material handling is done by the use of a skid loader which would be considered common place on any hobby farm of similar size to this property. This material handling lasts no more than 30 minutes and is not a daily occurrence.
    b. Glare:
        i. No change in Glare in the surrounding areas or on the property.
    c. Odor:
        i. No change in Odor in the surrounding areas or on the property.
    d. Electrical Interference:
        i. No Change in Electrical Interference in the surrounding areas or on the property.
    e. Vibration:
        i. No Change in Vibration in the surrounding areas or on the property.
    f. Dust:
        i. No Change in the Dust in the surrounding areas on the property.
2. Fire and Safety Hazards
    a. Any and all residential and commercial fire and safety protocols, ordinances, laws, rules, operating procedures, safety meetings, and overall “best practices” will be utilized to ensure a safe environment both on the property as well as in the surrounding areas.
        i. Our assembly lead is also a lieutenant on the Mound Fire Department, helping to ensure both minimum safety practices as well as learned and observed best practice.
3. Health
    a. All Employees will carry and maintain proper health cards for vehicle and equipment use
    b. All Employees will get and/or maintain CPR certifications.
    c. All workspaces and vehicles are fully equipped with proper fire suppression and first aid kits. These features allow all members of the staff to respond and help neighbors and passersby in case of need.
    d. One of the staff is a current lieutenant on the Mound Fire Department and has on multiple occasions gone directly from the property to medical calls in the near area ensuring

that the local neighborhood is safer in case of emergency with us here than without us.

4. Existing and anticipated traffic conditions
    a. Existing:
        i. 3-6 vehicles are parked on site at any given time with minimal movement during the day.
        ii. These are the work Trucks. All Trucks are Standard Pickup Trucks ½ ton, ¾ ton and 1 ton.
        iii. We do not own any larger trucks.
    b. Anticipated:
        i. An additional 3-5 employee vehicles would be parked on site at any given time with minimal movement during the day. Also, an additional 2 material deliveries every quarter that will only be visible during transit ingress and egress to the property.
        ii. Employee vehicles are standard passenger cars and SUV's.
5. Parking Facilities on Adjacent streets and land:
    a. No parking will occur anywhere outside of the designated area on the property. No adjacent land or streets will be affected in any way.
6. Effect on Surrounding properties
    a. Valuation:
        i. No significant valuation or devaluation of surrounding properties is foreseeable due to changes made to the site (none expected). The site would increase in value due to renovations and upkeep to land, trees, natural drainage, and structures.
    b. Aesthetics:
        i. Every effort will be made to further reduce visibility of the site from the roadside as well as from neighboring houses (Fences, Planted trees, etc.)
        ii. The property will also be kept tidy and free of unnecessary debris. All equipment and materials will be put away to the best of our ability on a nightly basis
        iii. Any additional or conditional requirements will be followed and are greatly appreciated
    c. Scenic Views, Character, and Integrity of the neighborhood
        i. No significant changes will be made to the views, character or integrity of the neighborhood.

ii. Any and all effort will be made to ensure the continuation of scenic feel as well as the enhancement of the community.
    1. Trees have already been planted as well as wild flowers and grasses to enhance the current look and feel of the property.

d. Current and possible land uses
    i. Currently the land is being used for Ben home and personal use as well as by company vehicles, lift storage, dock assembly, dock storage.
    ii. In the future the land would continue to be used for personal and tooling storage along with light material and storage of assembled products.
e. Impact on Governmental Facilities:
    i. No foreseeable impact. There is no, nor will there ever be a necessary need for any additional sewer, water or electrical.
f. Effect on Environmental features:
    i. Every effort will be made to protect or enhance sensitive Environmental features, water supplies, wetlands, slopes, flood plains and soil.
    ii. A wetland survey on top of a normal land survey will be done with this CUP.
g. How Proposed use meets the objectives outline within Minnetrista Comprehensive Plan”
    i. Specifically, the Minnetrista Comprehensive plan allows for an increase in “Unsewered Total Employment”. To that end the proposed use for this property would fall under the criteria outlined in the Minnetrista Comprehensive Plan. Which states that there should be an increase in employment from 305 (2010) to 320 (2020). The proposed use would fill the spot of approx. 3-5 of those positions.
    ii. The Minnetrista Comprehensive plan controls for the maintenance of neighborhood character while still allowing growth. In this case the employment growth would fall within the proposed growth of the community and every effort will be made to maintain the look and feel of the community.
h. Concerns/issues raised by Neighboring Properties:
    i. There will be a slight increase in traffic during the morning and evening commute periods. There will also be moderate sized product deliveries made quarterly. All efforts will be made so work will be

performed inside the building to minimize visibility. Noise with our equipment may be heard from the street. Every effort would be made to keep noise level to a minimum. As well as installing tree lines and/or fencing to reduce noise and/or visibility as needed.

i. Conflicts with Nearby Land uses and how they can be avoided/mitigated:
    i. We do not foresee any conflicts with nearby land use. All work and the majority storage will be conducted inside the building. Fencing, tree lines and organized storage practices will be used to reduce/eliminate all visibility and noise levels of all activity.

j. Livability:
    i. We will be improving the livability of the property. Proper drainage to preserve wetlands, grading gravel for property access, and adding trees for privacy. We plan to leave a large portion of the above area natural. All of the above improvements will be made with preserving the natural beauty of the property in mind

k. Value:
    i. The Value of the property will increase with the improvements made through proper maintenance and upkeep. Proper grading and drainage upkeep will be maintained to enhance the overall value to the property and locality.
        1. 15 Trees, wildflowers, and grass have been planted to enhance the look and feel of the property as well.
    ii. The community value comes from our company dedication and connection to the neighborhood and surrounding area.
        1. We currently have a scholarship set up at Mound Westonka High School for local kids going into the trades.
        2. We support the local community by donating to the Boy Lacrosse Team.
        3. We volunteer at the local food shelf.
        4. We offer our services at no charge to the “Dog Days” event held every summer.
        5. We donate to the local fire department.

6. We donate monthly to the Mound High school Student Store

l. Potential Future Development:
    i. The current proposal is the only development/change to the existing land use expected.
    ii. Due to the existing limitations on space and usage area there is a natural ceiling to what can be done with the property to remain within the ordinance/code guidelines put forth as well as maintaining the natural look and feel of the property and surrounding neighborhood. To that end, no future expansion or development is expected.

m. Disturbances to Wetlands:
    1. The Proposed use will have no negative effect on local wetlands. Every effort will be made to maintain and monitor proper drainage and upkeep of wetlands.

n. Provide Justification that Proposal will not place and excessive burden on:
    i. Roads:
        1. The proposed use will cause a slight increase in daily traffic of normal use vehicles causing no significant increased burden on surrounding roads. All loads in and out will be within road restriction and weight guidelines for the local area. No Semi-Truck loads will ever be allowed or be accepted onto or near the property. In fact Semi-Trucks are unable to even get into the property due to the width of the pillars at the entrance. No loads or parking will be accepted or acceptable on public roadways.
    ii. Sewage:
        1. The proposed use will have no difference in sewage as the property has a septic system and no changes will be required or are foreseeable.
    iii. Water Supply:
        1. The proposed use will have no effect on water supply as it has a self-contained well

system which is not used for business purposes.

iv. Parks:
    1. The proposed use will have no foreseeable impact on local parks. All business related activities are relegated to the property itself, with the vast majority of those activities occurring inside legal structures.

v. Schools:
    1. The proposed use will have no negative effects on local schools as every aspect of the proposed use will stay within the bounds of the property except during transit to and from on small trailer loads or in pickup trucks. The positive effect of our location is that we have established a Scholarship for MWHS and Donate regularly to the Friends of Mound Westonka Highschool organization Student Store.

vi. Fire:
    1. The proposed use will have no negative effects on local fire as all best practice procedures will be strictly upheld and enforced. As well as common workplace rules and local regulations to maintain a safe and secure working environment. One Positive effect to local fire is the gainful full time employment of a lieutenant on the Mound Fire Department. Allowing for fast direct dispatch from our location to medical calls at both Hilltop Elementary and Mound High school if the situation calls for it.

vii. Police:
    1. The proposed use will have no negative effects on local police as all best practice procedures will be strictly upheld and enforced. As well as common workplace rules and regulations to maintain a safe and secure working environment and local area.

viii. Public Facilities:
    1. The proposed use will have negligible effects on public facilities as the only increased need will come in the form of electricity. Which, in the long term will be

mitigated by Geothermal heating/cooling. As well as solar power mitigation if allowed under Minnetrista Ordinance.

o. Proposed Development/Operating Schedule:
    i. The use of the property for the express purpose of Marine Assembly and tool storage will start immediately. The hours of operation for the proposed use will be: Monday-Friday 8:00AM - 4:30PM.
    ii. New Construction:
        1. No new permanent construction is requested or foreseeable.

3. **Verification of Ownership**:
    a. Current title report, Purchase Agreement, Etc.
        i. Copy of Current Title
        ii. See Attached “Document A”:
4. **Address Labels:**
        i. See Attached “Document B”:
5. **Area Map:**
        i. See Attached “Document C”:
6. **Survey:**
        i. See Attached:

Notes:
RURAL PLANNING AREAS Roughly half of the 3,000 square miles in the seven-county Twin Cities area is rural. That includes cultivated farmland, nurseries, tree farms, orchards and vineyards, scattered individual home sites or clusters of houses, hobby farms, small towns, gravel mines, woodlands, and many of the region’s remaining important natural resources. , Less than 10 percent of the Metro population lives in rural areas. Diversified Rural Community Minnetrista has also been designated as a Diversified Rural Community. These communities are the sparsely developed parts of the region that host the widest variety of farm and non-farm land uses. They include a mix of a limited amount of large-lot residential and clustered housing, agriculture, and facilities and services requiring a rural location. Currently, lands in the Diversified Rural Communities are not needed for urban development, but should be preserved for post-2030 2040 development. Therefore, only limited growth is forecasted for this specific planning area

Unsewered total employment is supposed to increase to approx. 330 people (Up from 305 jobs in 2010) Maintain rural zoning character while allowing for some growth.

https://evogov.s3.amazonaws.com/media/29/media/50777.pdf

New commercial development will be required to integrate architecture and site planning techniques that are reflective of the City's open space character. Site planning that minimizes the use of large, unbroken parking lots will be required. Commercial developments will be required to hide parking areas and place buildings in such a way that the buildings are emphasized to passing traffic. Building architecture should be the predominant site identifier, rather than freestanding signage.

Dear, City of Minnetrista

I would like to thank the city and staff for helping me navigate the details of this complex CUP application process, everyone has been a huge help.

Nick has requested that I give an explanation of why I am choosing my Home in Minnetrista to operate my dock company. There are many reasons why home operation benefits both the community and my company.

A little history:

Lake Minnetonka is home. My Partner, Jake Youngren, grew up in Mound and Graduated from Mound high School in 2007. I grew up in Minnetonka Beach and graduated from Orono High School in 2000. After Jake and I graduated from college, we both decided to come home and work on Lake Minnetonka. Our two service companies began to gain significant interest by the Lake Minnetonka Residents. I decided to move to Minnetrista in 2017 because it was close to my family, friends, and the Lake. In 2019, Jake and I started using the property to assemble dock parts and to store our dock equipment. Through our close proximity to Lake Minnetonka we were able to hire multiple local residents and focus our community outreach in the place we live and work.

I would like to point out that we are very considerate of our neighbors with respect to noise, maintaining a private setting to avoid visibility, while fostering an atmosphere of mutual respect and neighborhood responsibility. On numerous occasions we have helped neighbors and students with walkways, snow removal, and recovery during and after snow events (lots of high school kids end up in the ditch). These things would not have been possible if we were operating in an industrial park in Buffalo or Waconia. We have even had a close neighbor approach us in search of gainful employment. Regardless of what we have done or will do for the community, we simply ask one thing of the City of Minnetrista, please see us as the individuals that we are, we are driven, hardworking, upstanding members of the community.

Why we want to continue operating in Minnetrista:

We are taking into account the inherent risks of running a business. 50% of all businesses fail. A massive shift in shop space would cause a significant burden on our ability to operate efficiently and effectively. What we are doing isn't a skilled trade that requires years of schooling and the market pricing that go along with skilled trades. We are dock guys, we are the backbone of Lake Minnetonka, but the industry as a whole doesn't allow for large warehouse spaces and huge operating costs that are usually associated with large service and assembly outfits. In terms of proximity, space, and ability to operate and react efficiently to normal and emergency situations on Lake Minnetonka, our current facility is perfectly suited to achieve success.

When taking the current political and societal environment into account and the relative uncertainty of the near future (economically, socially, and politically) it is uncertain what a significant shift in our operation could do to our company's success. Pure and simple, we know that we can operate in Minnetrista successfully, respectfully, and hopefully be a driving force for positive change and support in our community.

We want to hire and operate locally. We have reached out to Mound High School with job descriptions and compensation for current and graduating students. One student came to us for a job, but was struggling academically. Jake began tutoring Trevor, and once his grades got above a C average, he was then allowed to work for us. Jake went on to tutor Trevor in school and then the ACT's. Trevor was accepted into a four-year college in 2019. We welcome more students to learn, gain skills, and be a part of a team here in town. We currently have an Orono High schooler who is working for us. Nick is learning to think outside the box and gain real world experience by being involved with hands-on work. We plan to develop our relationships with the Mound and Orono High School Districts as we prove that we can be assets to their student body. In both of these instances, proximity was a main factor in allowing us to employ both of those young men.

We support our local businesses. Mound True value, Eddies Auto, Perma Top, Walgreens, Minnocco, Subway, Jubilee, Navarre True Value, Villamil Construction, Donahue Mechanical, Blackowiak Waste to name a few.

We Donate our time and money to our fellow Residents. Donations and service work include: Annual donations to the Mound Fire Department, Volunteer for Mound Dog Days, Donations to the Boys Lacrosse team in Mound, Monthly donations to Mounds School Store, Scholarship set up for Tonka Built to Mound High School. We are extremely interested in bringing our company's success directly into the community we live in.

We help our neighbors with snow removal and salting free of charge, helping to get people out of ditches and clearing ice when it is necessary.

We offer a product and service that betters the community together. We work directly with the LMCD and local marinas for boat salvage/recovery or condemned structures, basically covering our operating costs. The Lake Minnetonka Water Patrol recently acknowledged Tonka Built's crew as hero's. Tonka Built, LLC promptly responded to an accident that resulted in saving a man's life on Gideons Bay as well as stopping an out of control boat that could have led to even more damage/injury.

I bring these specific examples to your attention not for acknowledgement, rather to show our positive influence on the community as a whole. If we had not been in the location that we are, it is impossible to know if we would have been able to do the community outreach, local hiring, and reacting to emergency situations as effectively as we have in the past.

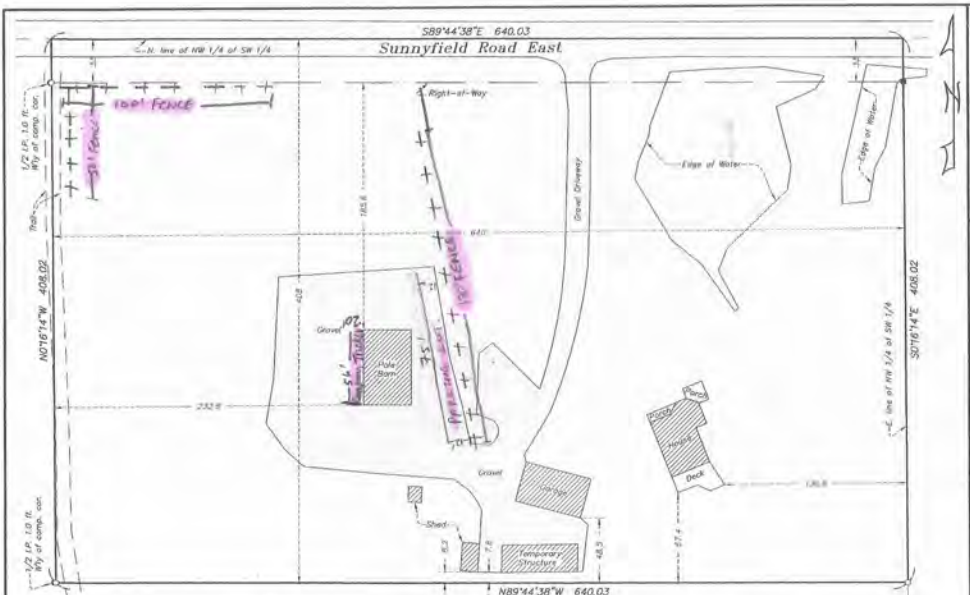
Wherever we operate, we will be involved with that community. We hope that the opportunity to be of service will be here in Minnetrista and its direct neighbors.

Thank you for all the support, time spent on this application, and listening to our interest in working and living here in Minnetrista.

Ben Bjorklund

6225 Sunnyfield Rd E

Minnetrista, MN 55364



Site Address:
6225 Sunnyfield Rd E
Minnetrista, MN 55364

Boundary Description (supplied by client)
The North 408 feet of the East 640 feet of the Northwest Quarter of the Southwest Quarter, Section 11, Township 117, Range 24, Hennepin County, Minnesota.

Subject to any and all easements of record.
Subject to road right-of-way.

SCALE
1 inch = 50 feet

Legend
- Found Iron Monument
- Set Iron Monument (LS 14700)

Bearings based on assumed datum.

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

Paul B. Schoborg

Date: April 2, 2020 Registration No. 14700

SCHOBORG LAND SERVICES INC.

763-972-3721
www.SchoborgLand.com
8997 Co. Rd. 13 SE
Delano, MN 55328

Job Number: 9046
Book/Page: LL
Survey Date: 4/1/20
Drawing Name: bjorkland.dwg
Drawn by: DMS
Revisions:

FLOYD

From: J Lewman
To: Nickolas Olson
Subject: Bjorklund Application 6225 Sunnyfield
Date: Thursday, July 16, 2020 12:33:42 PM

Hi Nickolas:

Judy and I have no objection to the application or the use as requested by Ben Bjorklund. Ben has always kept the property in a neat and orderly manner and the use is not at all obtrusive.

Please let us know if you have any questions.

Thanks.

John Lewman
952-472-4524

RESOLUTION NO. 080-2020

CITY OF MINNETRISTA

RESOLUTION APPROVING A HOME OCCUPATION CONDITIONAL USE PERMIT FOR BENJAMIN BJORKLUND TO OPERATE DOCK AND LIFT ASSEMBLY AND STORAGE AT 6225 SUNNYFIELD ROAD EAST

WHEREAS, the City of Minnetrista is a municipal corporation, organized and existing under the laws of the State of Minnesota; and

WHEREAS, the City Council of the City of Minnetrista has adopted zoning and subdivision regulations, per Chapter 5 of the Municipal Code, to promote the orderly, economic and safe development and utilization of land within the city; and

WHEREAS, Benjamin Bjorklund (the "Applicant") has made an application for a home occupation conditional use permit to operate dock and lift assembly and storage at the property located generally at 6225 Sunnyfield Road East (the "Property"), and which is legally described on Exhibit A attached hereto; and

WHEREAS, on July 27, 2020, the Minnetrista Planning Commission considered the requested home occupation conditional use permit, held a public hearing, and, after consideration of the record before it, voted 7-0 in favor of recommending approval of the conditional use permit request; and

WHEREAS, on August 3, 2020, the City Council reviewed the application, as submitted, and has made the following findings of fact:

1. The Property is guided for Permanent Agriculture on the future land use map contained within the Minnetrista 2040 Comprehensive Plan and is zoned Agriculture Preservation, which allows home occupations by Conditional Use Permit;
2. The Applicant has properly applied for a Conditional Use Permit to operate a dock and lift assembly and storage home occupation on the Property, as required by City Code;
3. The home occupation, with attached conditions, will have no negative effect upon the health, safety, and general welfare of the City and its inhabitants because the attached conditions will ensure the use is consistent with the standards, purposes, and procedures of Minnetrista City Code and Comprehensive Plan;
4. The Applicant has stated a current employee serves on the Mound Fire Department and their knowledge should help protect against fire and safety hazards;
5. The proposed conditional use will not negatively affect surrounding properties because the Property is located in a rural residential section of the City and the Applicant is not

proposing any major exterior improvements that would significantly change the appearance from the neighboring properties or adjacent roadways;

6. The proposed conditional use will not negatively impact governmental facilities and services because:
    a. The Property is adequately served by Sunnyfield Road and has sufficient off street parking and loading areas;
    b. The Property is not connected to city utilities; and
    c. The Property will be served by the Minnetrista Police Department and Mound Fire Department in the event of an emergency.
7. The Applicant is not proposing any significant exterior improvements or alterations to the Property and therefore will not negatively impact to the sensitive environmental features located on the Property.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Minnetrista hereby approves the home occupation conditional use permit, as requested by the Applicant, based on the findings of fact outlined above, with the following conditions:

1. The Applicant must maintain the Property as their primary residence and the primary use of the Property must remain a single family residential home. The home occupation shall remain a secondary, accessory use;
2. Hours of operation shall be restricted to the hours of 8:00 a.m. through 4:30 p.m. Monday through Friday. No business activity shall be operated on Saturday, Sunday, New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day or Christmas Day;
3. The Applicant will be limited to no more than 5 work vehicles on the Property at any given time. The vehicles shall be parked inside a building or screened from view on all sides;
4. There shall be no on street parking related to the home occupation. All parking must be contained on site and screened from view or inside a building;
5. The Applicant will be limited to no more than 5 employees on the Property per day;
6. Customer visits will be limited to no more than 2 at a single time with no more than 5 visits total per business day. Customer visits are not allowed outside of the hours of operation;
7. Deliveries other than those routinely made in a residential district (U.S. Mail, United Parcel Service, etc.) shall be limited to one per quarter, or 4 times per year;
8. Any outside storage of materials, including, but not limited to, work vehicles, docks, lifts, and all other business related items shall be screened from view of adjacent properties and streets or stored inside of a building;
9. Any signage shall be limited to that allowed by City Code;
10. Any lighting installed on the Property shall be downcast and shielded from neighboring streets and properties;
11. Any outside noise shall abide by the Minnesota Pollution Control Agencies guidelines for day and nighttime activities;
12. The Applicant shall obtain all necessary permits and approvals from the City and other applicable entities with jurisdiction over the Property;

13. The City may inspect the Property, at any time, for the purposes of insuring the conditions of the Conditional Use Permit are being met;
14. The City Council reserves the right to review and revoke the Conditional Use Permit upon violation of any term or condition;
15. Any major changes in use of the Property not included with the application submittal shall require approval of an amendment to the Conditional Use Permit from the City Council;
16. The Applicant shall be responsible for all fees incurred by the City in review of this application;
17. The Applicant shall not build an additional driveway access to the Property; and
18. The Applicant may store up to 15 boat lifts on the Property at any given time.

This resolution was adopted by the City Council of the City of Minnetrista on the 3rd day of August 2020, by a vote of ___ Ayes and ___ Nays.

Lisa Whalen, Mayor

ATTEST:

Kris Linquist, City Clerk
(SEAL)

Exhibit A

Legal Description of 6225 Sunnyfield Road East:

The North 408 feet of the East 640 feet of the Northwest 1/4 of the Southwest 1/4, Section 11, Township 177, range 24, Hennepin County, Minnesota.

Abstract Property.

CITY OF MINNETRISTA

CONSENT AGENDA

Subject:	**VARIANCE: Application from Jeffrey and Amanda Dischinger for a lakeshore setback variance and a side yard setback variance at 3399 Kings Point Road; R-1 Low Density Single-Family Residence Zoning District; PID# 27-117-24-13-0009.**
Prepared By:	**Nickolas Olson, City Planner**
Through:	**David Abel, Community Development Director**
Meeting Date:	**August 3, 2020**

Overview: Jeffrey and Amanda Dischinger (the "Applicants") have made an application for a setback variance to reduce the required lakeshore setback from 75 feet to 51.3 feet and a side yard setback variance from 15 feet to 9.7 feet to allow for a deck at 3399 Kings Point Road (the "Property").

Background: The Applicants have owned the Property since 2014. The existing house was built back in 1972-73. From the City's records, it appears as though the Property has never had a deck. The ability to add a deck is now restricted by the required minimum 75 foot lakeshore setback. When construction started on the house in 1972, there was no established lakeshore setback. This didn't come until Ordinance 61 was adopted in 1973, which set the minimum lakeshore setback at 50 feet. Later on, in 1979, Ordinance 99 was adopted which increased the minimum lakeshore setback requirement to 75 feet. The existing home also sits only 9.7 feet from the southern (side) property line and the requirement is 15 feet. The Applicants are proposing to maintain the existing 9.7 foot setback. In the attached documents submitted by the Applicants, you will find a more detailed description of the request. As for review, the City Council should consider the criteria described in City Code, which are outlined below.

Variance Request: City Code Section 505.05 Subd. 9 allows the City to issue variances from the provisions of the zoning code. A variance is a modification or variation of the provisions of the zoning code as applied to a specific piece of property. A variance is only permitted when:

a. **The variance is in harmony with the general purposes and intent of this ordinance.**
   Section 505.03 Subd. 1 outlines the specific purpose and intent of the City's zoning ordinance.

   The City's zoning ordinances are intended to promote the general health, safety, and welfare of the inhabitants of the City by means of proper use of land and

structures. This is often accomplished through the preservation of light, air, privacy, and safety. The Applicants' request is consistent with this intent because the design and location of the proposed deck preserves light, air, privacy, and safety while minimizing impacts to the surrounding properties and structures.

b. The variance is consistent with the comprehensive plan.
The basic intent of the comprehensive planning process is to provide a well-founded and coordinated decision-making framework to guide both public and private development and community improvements. In this regard, the comprehensive plan represents the development framework to guide and direct future land development decisions within the City. The Land Use Plan is a narrative and graphic representation of the community's land use and growth management goals and policies that provides the background and rationale for land use designations as represented on the Proposed Land Use Map.

The Property is guided for long term residential use per the 2040 Comprehensive Plan. The Applicants' proposal to construct a deck is consistent with the long range plan for the Property, while minimizing any impact to the views from adjoining streets and properties, which is one of the goals of land use planning found in the 2040 Comprehensive Plan.

A variance may be granted when the applicant establishes there are practical difficulties in complying with this ordinance. Practical difficulties, as used in connection with granting a variance, means:

1. **The property owner proposes to use the property in a reasonable manner not permitted by this ordinance.**
This factor means that the landowner would like to use the property in a particular reasonable way, but cannot do so under the rules of the ordinance. It does not mean that the land cannot be put to any reasonable use whatsoever without the variance.

The Applicants are proposing to add a reasonably sized deck for the Property and existing home. The Property currently lacks a deck, which is reasonable to expect for a lakeshore property, specifically with a walkout foundation. The Applicants are proposing to maintain the existing side yard setback of 9.7 feet, which is reasonable. As such, the proposal is a reasonable manner to use the Property not permitted by ordinance.

2. **The plight of the landowner is due to circumstances unique to the property not created by the landowner.**
The uniqueness generally relates to the physical characteristics of the particular piece of property, that is, to the land and not personal characteristics or preferences of the landowner. When considering the variance for a building to encroach or intrude into a setback, the focus of this factor is whether there is anything physically unique about the particular piece of property.

The existing home is a legal, non-conforming structure based on its location relative to both the lakeshore and side property line. As the home was built 1972-73, this situation was not created by the Applicants (landowner). Also, the lakeshore setback was originally established in 1973, after the home was starting to be built, and was later amended in 1979 to be more restrictive. The resulting circumstances, which are unique to this Property, were created well before the Applicants purchased the Property and thus not created by the landowner.

3. **The variance would not alter the essential character of the locality.**
   Under this factor, consider whether the resulting structure will be out of scale, out of place, or otherwise inconsistent with the surrounding area.

   Most homes along Kings Point Road have a deck about the same size as the one proposed by the Applicants. As the home is a walkout foundation, having a deck is not out of place. Many homes along Kings Point Road are at or near a 50 foot setback from the lakeshore, so the request is not inconsistent with the surrounding area. As a result, the variance, as requested, would not alter the essential character of the locality.

Neighborhood Comments: Notices were sent out to all property owners within 500 feet of the subject property prior to the public hearing with the Planning Commission. There was no one present besides the Applicants to speak at the public hearing and staff has not received any written comments or concerns regarding this request to date.

Planning Commission Meeting: At their July 27, 2020 meeting, the Planning Commission reviewed the Applicants' requested lakeshore and side yard setback variances. After holding the required public hearing and reviewing the entire record before them, the Planning Commission made a motion to recommend approval of the request subject to certain conditions and based on certain findings of fact. Those conditions and findings of fact are consistent with the recommended City Council action found below. The motion passed 7-0. Absent: Pettis and Vars (Alternate 1).

Conclusion: The City Council should review the staff report and the recommendation of the Planning Commission. After review, the City Council should consider the entire record before it prior to making a motion. Along with making a motion, findings of fact should be made which support said motion. Findings of fact based on the information submitted by the Applicants may be as follows:

1. The requested variances are in harmony with the purpose and intent of the City's zoning ordinances because the design and location of the proposed deck preserves light, air, privacy, and safety while minimizing impacts to the surrounding properties and structures;
2. The requested variances are consistent with the City's comprehensive plan because the Property is guided for long term residential use per the 2040 Comprehensive Plan. The proposed deck is consistent with the long range plan

for the Property while minimizing impacts to the views from adjoining streets and properties;

3. The Applicants propose to use the Property in a reasonable manner because the proposed size and location of the deck, which the home currently lacks, is a reasonable use of the Property;
4. The requested variances are the result of a unique circumstance not created by the landowner because the existing home is a legal, non-conforming structure which was built well before the Applicants owned the Property and prior to the establishment of the lakeshore setback requirement; and
5. The requested variances will not alter the character of the locality because many homes along Kings Point Road have a deck about the same size as the Applicants are proposing, a deck on a walk out foundation home is not out of place, and many homes along Kings Point Road have setbacks close to what the Applicants are requesting.

Recommended Action: Motion to approve the requested lakeshore and side yard setback variances at 3399 Kings Point Road based on certain of fact outlined in the staff report and subject to the following conditions:

1. The construction shall be consistent with the plan and survey documents submitted with this variance application;
2. Any required grading shall maintain existing drainage patterns or improve the existing drainage of the lot and adjacent lots;
3. The Applicants obtain all necessary permits and approvals from the City and other applicable entities with jurisdiction over the Property prior to any construction;
4. The Applicants are responsible for all fees incurred by the City in review of this application; and
5. The variance approval is valid for one year from the date of approval and will become void and expire unless a building permit has been issued for the site.

Attachments:

1. Location Map
2. Project Narrative
3. Proposed Plans
4. Proposed Survey
5. Res. No. 081-2020 Approving Variances for Jeffrey and Amanda Dischinger at 3399 Kings Point Road

3399 Kings Point Road

1 in = 100 ft

N

July 21, 2020

Map Powered By DataLink

wsb

a.

Jeffrey Dischinger

Amanda Dischinger

b.

Herbert T Thompson & Son's King's Point Addition to Minnetonka, Lot 006, Block 001

PID 27-117-24-13-0009

.43 acres

18,592 sq ft

Homestead Residential

c.

505.49 Subd. 8. Lot area, width, setbacks, coverage.

505.07 Subd. 8. Setbacks

We would like to add a deck to the back of the south side of the home. The deck we would like to add would extend out 10 feet from the original structure and span about 32 feet from the south end of the home to the center of the home. The deck would be 51.3 feet from the high water line of Lake Minnetonka which is less than the 75 feet required setback (see survey). The deck would follow the original structure on the south side of the home which is approximately 9.7 feet from the property line. We are asking for the 9.7 foot variance on the south side of the home for two reasons. There is a screened in porch on this side of the home so it will allow easy access to the deck and there is a lower level garage under the proposed deck and putting posts in front of the garage may make it difficult to move larger items in and out of the garage.

e.

Spoke to Nickolas Olson early in the process and he directed me to the variance documentation online and what city code will require a variance.

f.

The intent of the city code is to protect the public health, safety and general welfare by not contributing to the pollution of public waters. The proposed deck will not add to pollution in public waters and will not negatively influence the public health, safety and general welfare of the community. The proposed deck is consistent with the current Minnetrista Comprehensive Plan by not negatively affecting the open

space and rural character of the community or negatively affecting use or enjoyment of lake Minnetonka.

g.

When the house was constructed in 1972 the setback requirements were different than they are today. A deck was not constructed at the time of construction and to do so now would require a variance due to the current set back requirement. The current house is already set back within 75 feet of the lake so in order to add any size deck we would require a variance. Many if not all houses on the block have a deck and most of them are within 75 feet of the lake. The angle of our property near the point would limit the properties affected by the variance and it would not obstruct any neighbors view of the lake. The side yard setback is following the original setback of the home of 9.7 feet and would not negatively affect and neighbors views or use of their property due to the angle of the home on the point.

h.

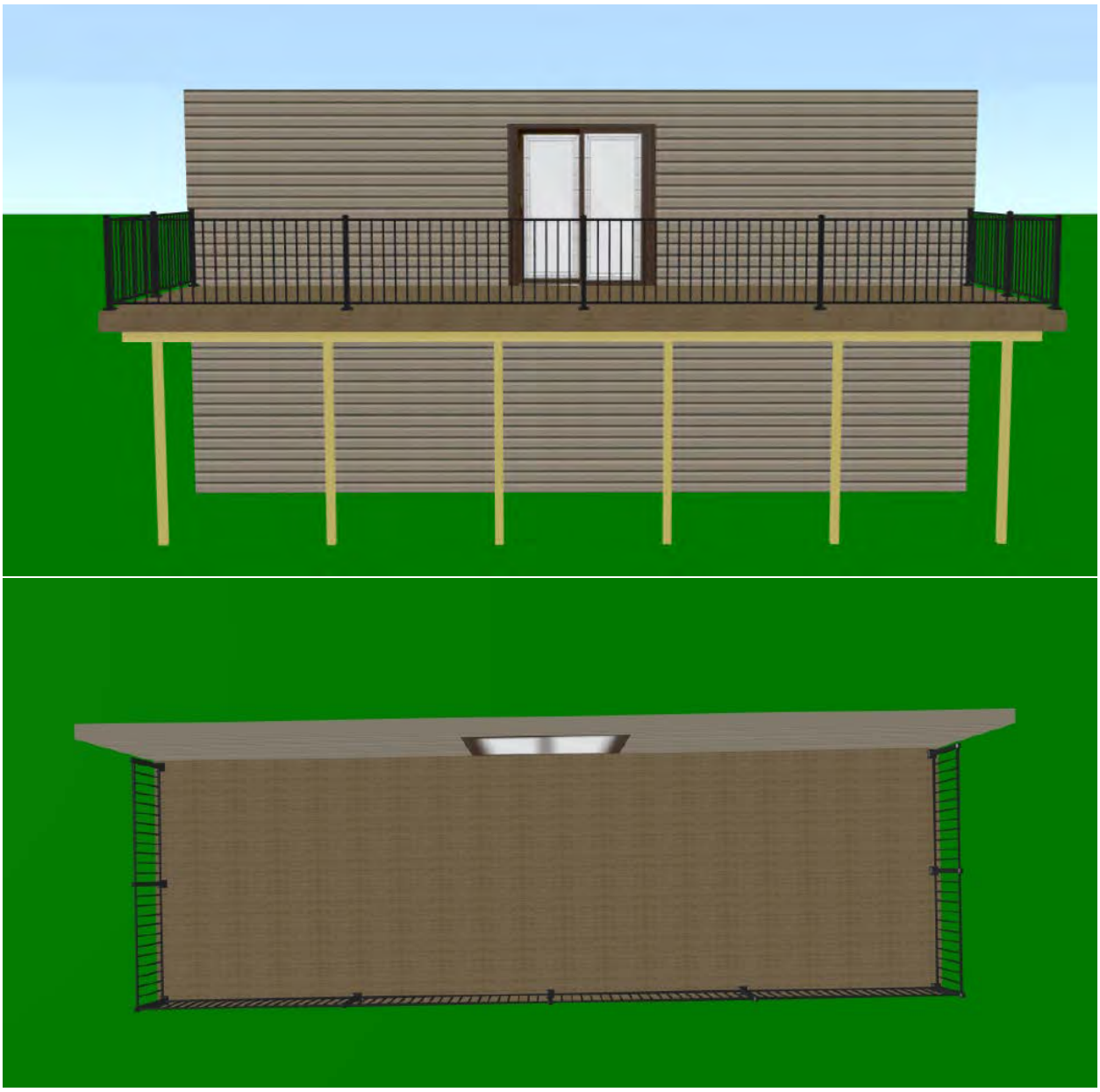
The variance is not based on desire to increase property value. It is being requested soley so we can have a deck to enjoy the lake.

i.

Granting a variance to allow a deck will not negatively affect the health, safely or well being of anyone in the community. The deck will allow the property to conform with the other properties in the neighborhood and will not diminish property values of the neighborhood.

Deck Building plan:

The proposed deck dimensions are 32 feet wide by 10 feet deep with an elevation of 8’6”. There are no stairs in the deck plan and the board spacing will be ¼” appart. The deck plan pictures below show the proposed plan. There will not be a door out the back as in the plan pictures. The deck will be accessed through a door in the screened in porch on the south east side of the home. The deck runs from the south side of the home 32 feet to the part of the home that extends the home 4 feet in the center of the home.



CERTIFICATE OF SURVEY

LEGAL DESCRIPTION:

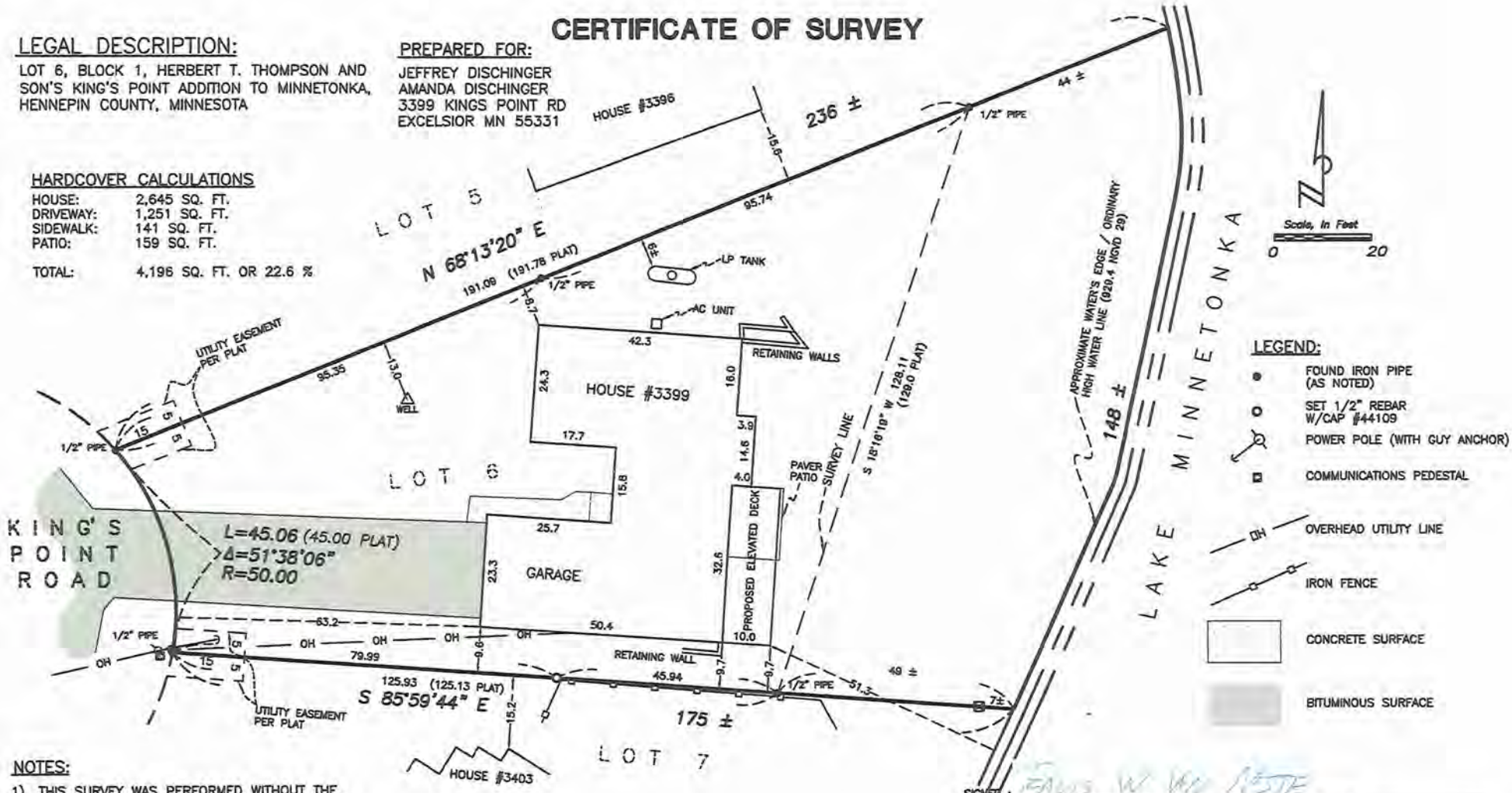
LOT 6, BLOCK 1, HERBERT T. THOMPSON AND SON'S KING'S POINT ADDITION TO MINNETONKA, HENNEPIN COUNTY, MINNESOTA

PREPARED FOR:

JEFFREY DISCHINGER
AMANDA DISCHINGER
3399 KINGS POINT RD
EXCELSIOR MN 55331

HARDCOVER CALCULATIONS

HOUSE:	2,645 SQ. FT.
DRIVEWAY:	1,251 SQ. FT.
SIDEWALK:	141 SQ. FT.
PATIO:	159 SQ. FT.
TOTAL:	4,196 SQ. FT. OR 22.6 %



LEGEND:

- FOUND IRON PIPE (AS NOTED)
- SET 1/2" REBAR W/CAP #44109
- POWER POLE (WITH GUY ANCHOR)
- COMMUNICATIONS PEDESTAL
- OVERHEAD UTILITY LINE
- IRON FENCE
- CONCRETE SURFACE
- BITUMINOUS SURFACE

NOTES:

1) THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE INSURANCE COMMITMENT. EASEMENTS SHOWN ARE PER PLAT OF HERBERT T. THOMPSON AND SON'S KING'S POINT ADDITION TO MINNETONKA.

2) P.I.D.: 27-117-24-13-0009

3) PARCEL AREA: 18,560 SQ. FT (ABOVE ORDINARY HIGH WATER LINE).

4) BEARING BASIS IS ASSUMED.

5) DATE OF FIELDWORK: 12-19-2019

CERTIFICATION :

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

SIGNED : TRAVIS W VAN NESTE

Travis W. Van Neste, Minnesota Professional Surveyor #44109
Michigan Professional Surveyor #46695

JOB # 2019064	ISSUED: 01-23-2020	
DRAWN BY: TWVN	REV: 3-11-2020	
SCALE: 1" = 20 FEET		

VAN NESTE SURVEYING
PROFESSIONAL SURVEYING SERVICES
85 WILDHURST ROAD EXCELSIOR, MN 55331
PHONE (952) 686-3055
WWW.VANNESTESURVEYING.COM

VNS

RESOLUTION NO. 081-2020

CITY OF MINNETRISTA

RESOLUTION APPROVING A LAKESHORE SETBACK VARIANCE OF 23.7 FEET AND A SIDE YARD SETBACK VARIANCE OF 5.3 FEET TO ALLOW FOR THE CONSTRUCTION OF DECK AT 3399 KINGS POINT ROAD

WHEREAS, the City of Minnetrista (the "City") is a municipal corporation, organized and existing under the laws of the State of Minnesota; and

WHEREAS, the City Council of the City of Minnetrista has adopted zoning and subdivision regulations, per Chapter 5 of the Municipal Code, to promote the orderly, economic and safe development and utilization of land within the city; and

WHEREAS, Jeffrey and Amanda Dischinger (the "Applicants") have made an application for a setback variance to reduce the required lakeshore setback from 75 feet to 51.3 feet and a side yard setback variance from 15 feet to 9.7 feet to allow for a deck on the property generally located at 3399 Kings Point Road (the "Property") and which is legally described as:

Lot 6, Block 1, Herbert T. Thompson & Son's King's Point Addition to Lake Minnetonka, Hennepin County, Minnesota; and

WHEREAS, on July 27, 2020, the Minnetrista Planning Commission considered the requested lakeshore and side yard setback variances, held a public hearing and, after consideration of the record before it, voted 7-0 in favor of recommending approval of the requested setback variances; and

WHEREAS, the City Council has reviewed the application, as submitted, and has made the following findings of fact:

1. The requested variances are in harmony with the purpose and intent of the City's zoning ordinances because the design and location of the proposed deck preserves light, air, privacy, and safety while minimizing impacts to the surrounding properties and structures;
2. The requested variances are consistent with the City's comprehensive plan because the Property is guided for long term residential use per the 2040 Comprehensive Plan. The proposed deck is consistent with the long range plan for the Property while minimizing impacts to the views from adjoining streets and properties;
3. The Applicants propose to use the Property in a reasonable manner because the proposed size and location of the deck, which the home currently lacks, is a reasonable use of the Property;
4. The requested variances are the result of a unique circumstance not created by the landowner because the existing home is a legal, non-conforming structure which was built

well before the Applicants owned the Property and prior to the establishment of the lakeshore setback requirement; and

5. The requested variances will not alter the character of the locality because many homes along Kings Point Road have a deck about the same size as the Applicants are proposing, a deck on a walk out foundation home is not out of place, and many homes along Kings Point Road have setbacks close to what the Applicants are requesting.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Minnetrista hereby approves the requested lakeshore setback variance to reduce the required setback from 75 feet to 51.3 feet and the requested side yard setback variance to reduce the required setback from 15 to 9.7 feet on the property located at 3399 Kings Point Road for the construction of a deck, as submitted with the variance application, subject to the following conditions:

1. The construction shall be consistent with the plan and survey documents submitted with this variance application;
2. Any required grading shall maintain existing drainage patterns or improve the existing drainage of the lot and adjacent lots;
3. The Applicants obtain all necessary permits and approvals from the City and other applicable entities with jurisdiction over the Property prior to any construction;
4. The Applicants are responsible for all fees incurred by the City in review of this application; and
5. The variance approval is valid for one year from the date of approval and will become void and expire unless a building permit has been issued for the site.

This resolution was adopted by the City Council of the City of Minnetrista on the 3rd day of August, 2020 by a vote of ___ Ayes and ___ Nays.

_____
Lisa Whalen, Mayor

ATTEST:

_____
Kris Linquist, City Clerk
(SEAL)

CITY OF MINNETRISTA

CONSENT AGENDA

Subject:	**VARIANCE: Application from Joshua and Jennifer Riff for a lakeshore setback variance at 4779 Crane Island; R-1 Low Density Single-Family Residence Zoning District; PID# 36-117-24-23-0010.**
Prepared By:	**Nickolas Olson, City Planner**
Through:	**David Abel, Community Development Director**
Meeting Date:	**August 3, 2020**

Overview: Joshua and Jennifer Riff (the "Applicants") have made an application for a setback variance to reduce the required lakeshore setback from 75 feet to 41.6 feet to build a 2-story home within the footprint of the existing 1 ½-story home at 4779 Crane Island (the "Property").

Background: The Applicants have owned the Property since 2013. The existing house was built back in 1910 and is located on Crane Island. It functions as the primary residence for the Applicants during the summer months when boat access is available. However, due to the age of the home, many significant structural repairs are needed. The Applicants approached the City in the fall of 2019 to discuss possible projects, including remodeling the existing structure to include a second level or rebuilding in the existing footprint. Ultimately, the Applicants have decided that rebuilding in the existing footprint makes the most sense. Since the building does not meet current lakeshore setbacks, the expansion requires a variance. In the attached documents submitted by the Applicants, you will find a more detailed description of the request. As for review, the City Council should consider the criteria described in City Code, which are outlined below.

Variance Request: City Code Section 505.05 Subd. 9 allows the City to issue variances from the provisions of the zoning code. A variance is a modification or variation of the provisions of the zoning code as applied to a specific piece of property. A variance is only permitted when:

a. **The variance is in harmony with the general purposes and intent of this ordinance.**
   Section 505.03 Subd. 1 outlines the specific purpose and intent of the City's zoning ordinance.

   The City's zoning ordinances are intended to promote the general health, safety, and welfare of the inhabitants of the City by means of proper use of land and structures. The Applicants' request is consistent with this intent because utilizing

the existing footprint for the inclusion of a full second story is a proper use of the Property and a two story building is otherwise allowed by City Code. The Applicants have worked on a design to minimize the impact to neighboring properties.

b. The variance is consistent with the comprehensive plan.
The basic intent of the comprehensive planning process is to provide a well-founded and coordinated decision-making framework to guide both public and private development and community improvements. In this regard, the comprehensive plan represents the development framework to guide and direct future land development decisions within the City. The Land Use Plan is a narrative and graphic representation of the community's land use and growth management goals and policies that provides the background and rationale for land use designations as represented on the Proposed Land Use Map.

The Property is guided for long term residential use per the 2040 Comprehensive Plan. The request is consistent with this long term use. The Applicants' proposal is to utilize the existing footprint and thus will not further clutter the shoreline, which is one of the goals of land use planning found in the 2040 Comprehensive Plan.

A variance may be granted when the applicant establishes there are practical difficulties in complying with this ordinance. Practical difficulties, as used in connection with granting a variance, means:

1. **The property owner proposes to use the property in a reasonable manner not permitted by this ordinance.**
This factor means that the landowner would like to use the property in a particular reasonable way, but cannot do so under the rules of the ordinance. It does not mean that the land cannot be put to any reasonable use whatsoever without the variance.

The Applicants are proposing to utilize the footprint of the existing home, but add a full second level, which is reasonable, and since the existing home is already non-conforming, the second level is not permitted by the ordinance. The reason for replacing the existing home is due the many structural deficiencies, which is also reasonable. As such, the proposal is a reasonable manner to use the Property not permitted by ordinance.

2. **The plight of the landowner is due to circumstances unique to the property not created by the landowner.**
The uniqueness generally relates to the physical characteristics of the particular piece of property, that is, to the land and not personal characteristics or preferences of the landowner. When considering the variance for a building to encroach or intrude into a setback, the focus of this factor is whether there is anything physically unique about the particular piece of property.

The existing home is a legal, non-conforming structure based on its location relative to the lakeshore. As the home was built 1910, this situation was not created by the Applicants (landowner). Also, the existing septic system is located to the north of the home location, which prevents moving the structure to 75 feet from the lake. The resulting circumstances, which are unique to this Property, were created well before the Applicants purchased the Property and thus not created by the landowner.

3. **The variance would not alter the essential character of the locality.**
   Under this factor, consider whether the resulting structure will be out of scale, out of place, or otherwise inconsistent with the surrounding area.

   Numerous homes on Crane Island are closer than 75 feet from the lakeshore, so the request is not inconsistent with the surrounding area. Also, there are other homes that have a full second story and many have went through at least one remodel since their original construction. As a result, the variance, as requested, would not alter the essential character of the locality.

Neighborhood Comments: Notices were sent out to all property owners within 500 feet of the subject property prior to the public hearing with the Planning Commission. There was no one present besides the Applicants to speak at the public hearing and staff has received four comments in support of this request. The comments have been attached for review.

Planning Commission Meeting: At their July 27, 2020 meeting, the Planning Commission reviewed the Applicants' requested lakeshore setback variance. After holding the required public hearing and reviewing the entire record before them, the Planning Commission made a motion to recommend approval of the request subject to certain conditions and based on certain findings of fact. Those conditions and findings of fact are consistent with the recommended City Council action found below. The motion passed 7-0. Absent: Pettis and Vars (Alternate 1).

Conclusion: The City Council should review the staff report and the recommendation of the Planning Commission. After the public review, the City Council should consider the entire record before it prior to making a motion. Along with making a motion, findings of fact should be made which support said motion. Findings of fact based on the information submitted by the Applicants may be as follows:

1. The requested variance is in harmony with the purpose and intent of the City's zoning ordinances because utilizing the existing footprint for the inclusion of a full second story is a proper use of the Property and the Applicants have worked on a design to minimize the impact to neighboring properties;
2. The requested variance is consistent with the City's comprehensive plan because the Property is guided for long term residential use per the 2040 Comprehensive Plan. The proposed home is consistent with the long range plan for the Property

and will not further clutter the shoreline by utilizing the existing building's footprint;

3. The Applicants propose to use the Property in a reasonable manner because utilizing the existing footprint is reasonable and the existing home is in need of many structural repairs, so replacing the home entirely is also reasonable;
4. The requested variance is the result of unique circumstances not created by the landowner because the existing home is a legal, non-conforming structure which was built well before the Applicants owner the Property and the location of the septic to the north of the home eliminates the ability to move the structure further away from the lake; and
5. The requested variance will not alter the character of the locality because numerous homes on Crane Island are closer than 75 feet from the lakeshore, there are other homes that have a full second story, and many have went through at least one remodel since their original construction.

Recommended Action: Motion to recommend the City Council approve the requested lakeshore setback variances at 4779 Crane Island based on certain of fact outlined in the staff report and subject to the following conditions:

1. The construction shall be consistent with the plan and survey documents submitted with this variance application;
2. Any required grading shall maintain existing drainage patterns or improve the existing drainage of the lot and adjacent lots;
3. The Applicants obtain all necessary permits and approvals from the City and other applicable entities with jurisdiction over the Property prior to any construction;
4. The Applicants are responsible for all fees incurred by the City in review of this application; and
5. The variance approval is valid for one year from the date of approval and will become void and expire unless a building permit has been issued for the site.

Attachments:

1. Location Map
2. Project Narrative
3. Proposed Plans
4. Proposed Survey
5. Neighborhood Comments
6. Res. No. 082-2020 Approve Variance for Joshua and Jennifer Riff at 4779 Crane Island

4779 Crane Island

1 in = 100 ft

N

July 21, 2020

Map Powered By DataLink

wsb

2. Written Statements

a. Current property owners:
Jennifer & Joshua Riff
35 Fenwick Road
Waban, MA 02468

b. Legal Description: Lot 9, Crane Island, Hennepin County, Minnesota
Parcel Size: 18,516 SF, 0.43 Acres
PID: 36-117-24-23-0010
Existing Land Use: Residential
Existing Zoning: R-1

c. Variance request: City Code Section 505.15 R-1 Residential & Section 505.49 Shoreland Overlay Districts Subd. 8 Lot area, width, setbacks, coverage.

d. Proposal: Provide a lakeside setback variance from 75 feet to 41.6 feet. The applicant intends to build a two story single family dwelling within the existing footprint of the existing one and a half story home.

e. Prior to submitting this application: Beth Pfeifer, on behalf of Joshua and Jennifer Riff, contacted City Manager David Abel on September 6, 2019 indicating that the Riff's were beginning to look into the viability of remodeling and adding a second floor to their existing lake home. This correspondence referenced that the home is in significant need of structural and envelope repair/replacement. This correspondence was forwarded to Nicholas Olson and Robert Goodman for feedback.

After reviewing the property, Nickolas Olson indicated a variance would be required for a second floor addition to the property as the existing structure does not meet lakeside setback requirements (as indicated above). He also referenced the March 2014 variance granted to the property owners for the construction of a screen porch addition to the existing dwelling. This variance was approved and indicated that a future second floor would also require a variance. The applicant, through Beth Pfeifer, has kept Mr. Olson updated on their plans. He has provided information on application deadlines and materials and indicated that the email and phone correspondence received made a face to face meeting unnecessary.

f. The request is in harmony with the general purpose and intent of the ordinance and the Minnetrista comprehensive plan. The proposed land-use does not alter the existing single family residential land use permitted under R-1 of the code. The existing cabin, built in approximately 1910, sits 41.6 feet from the lake at its closest point. The requested variance does not alter this location, which is consistent with three additional properties to the south of the home. The creation of a full second floor (vs. the existing 1.5 story home) is consistent with the allowed maximum building height of 35 feet or 3 stories.

g. Practical difficulties exist in complying with the Minnetrista code. The existing site includes a Septic Area located immediately behind the existing structure. Moving the structure 30 feet inland to comply with the 75 foot setback would place the home directly over the septic field. Due to the depth of the property the septic field cannot be moved any further back on the site. These circumstances were not created by the landowner and are unique to this island property. Additionally, the variance, if granted, would not alter the existing footprint of the home and would not alter the character of the locality.

h. The variance request is based on the need to repair the existing home and make it more habitable for the Riff family of five. The cottage is roughly 100 years old and is in need of major interior and exterior repairs, including addressing the existing cinder block foundation. The Riff family lives in the cottage as their primary residence throughout the summer months when the island is accessible by boat. In order for the home to remain their primary habitable space these repairs need to be addressed, including providing code compliant and safe access to second floor spaces.

i. The granting of the requested variance will not: 1) adversely affect the health or safety of persons residing or working in the neighborhood - It will remain consistent with the existing use and location of the home; 2) impair an adequate supply of light and air to adjacent properties – it will be consistent with the height of other homes on the island and will not change the location of the existing structure; 3) be injurious to property or improvements in the neighborhood – no changes will be made to the use of the site or the neighborhood; 4) increase the congestion on public streets – NA; 5) endanger public safety – NA; 6) or substantially diminish or impair property values within the neighborhood – it will be consistent with the existing property but in better and safer condition.

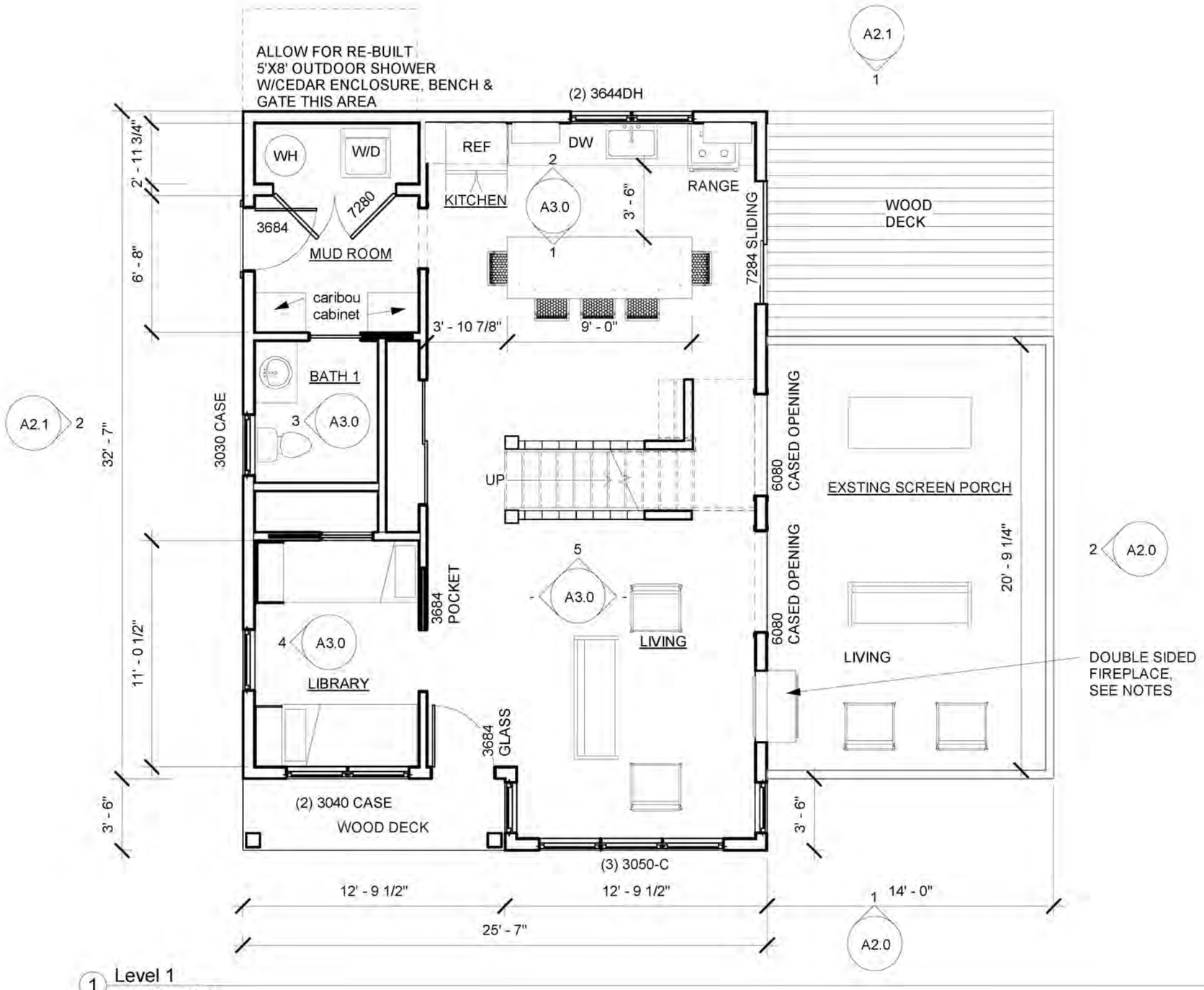
3. Verification of ownership: See attached Title Policy.

4. Address labels: See attached

5. Area Map: See attached

6. Survey: See attached.

7. Proposed schematic floor plan and building elevation (façade facing lake).



1 Level 1
3/16" = 1'-0"

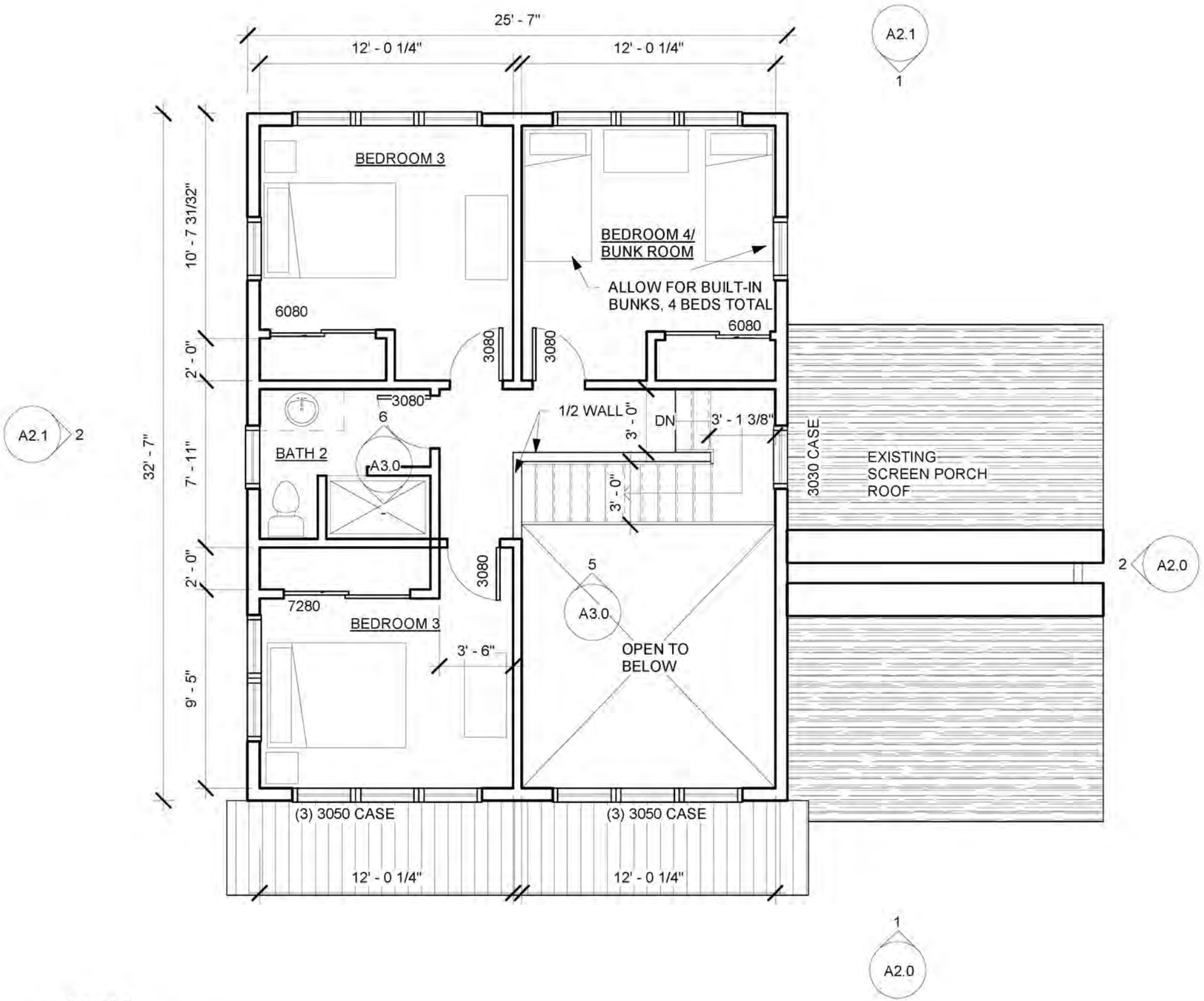
RIFF CABIN

LOT 9, CRANE ISLAND
HENNEPIN COUNTY, MN

blueWillow DESIGN

3/16" = 1'-0"
VARIANCE REQUEST
FIRST FLOOR PLAN
6/23/20

A1.1



1 Level 2
3/16" = 1'-0"

RIFF CABIN

LOT 9, CRANE ISLAND
HENNEPIN COUNTY, MN

blueWillow DESIGN

3/16" = 1'-0"
VARIANCE REQUEST
SECOND FLOOR PLAN
6/23/20

A1.2

2 NORTH
3/16" = 1'-0"

1 EAST (LAKE SIDE)
3/16" = 1'-0"

RIFF CABIN

LOT 9, CRANE ISLAND
HENNEPIN COUNTY, MN

blueWillow DESIGN

3/16" = 1'-0"
VARIANCE REQUEST
ELEVATIONS
6/23/20

A2.0

2 SOUTH
3/16" = 1'-0"

1 WEST (ISLAND SIDE)
3/16" = 1'-0"

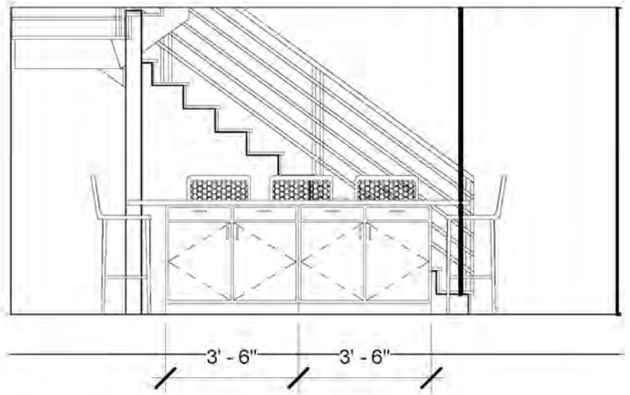
RIFF CABIN

LOT 9, CRANE ISLAND
HENNEPIN COUNTY, MN

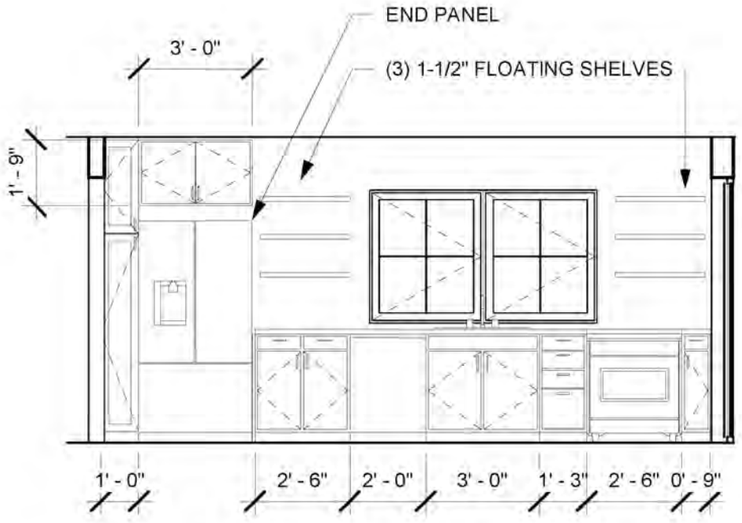
blueWillow DESIGN

3/16" = 1'-0"
VARIANCE REQUEST
ELEVATIONS
6/23/20

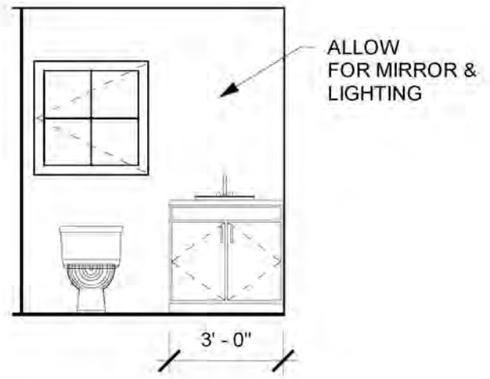
A2.1



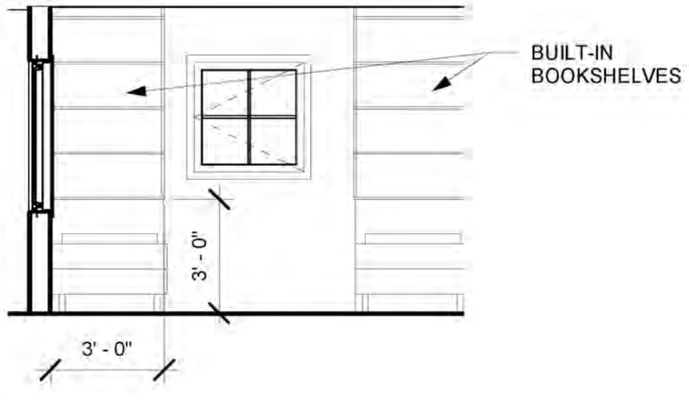
1 ISLAND
1/4" = 1'-0"



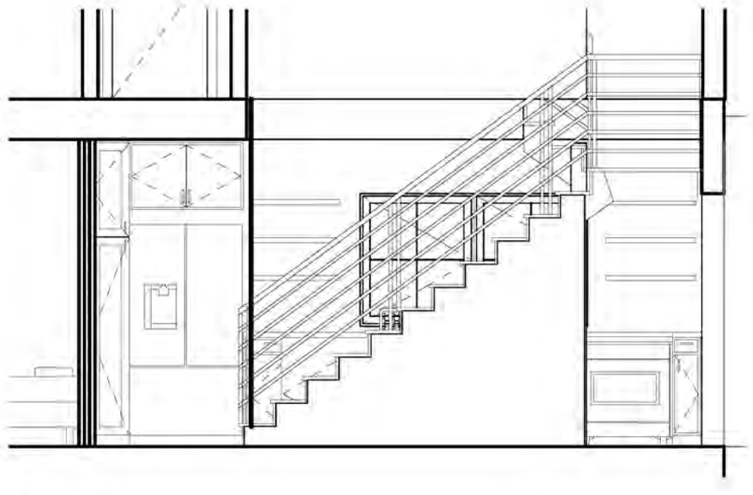
2 KITCHEN
1/4" = 1'-0"



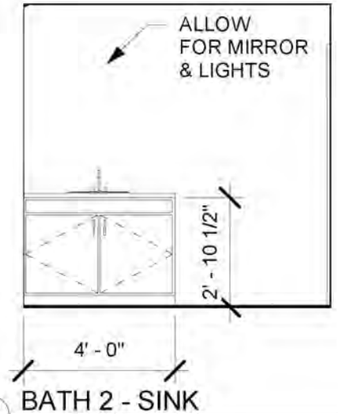
3 BATH 1 - SINK
1/4" = 1'-0"



4 LIBRARY
1/4" = 1'-0"



5 STAIR
1/4" = 1'-0"



6 BATH 2 - SINK
1/4" = 1'-0"

RIFF CABIN

LOT 9, CRANE ISLAND
HENNEPIN COUNTY, MN

blueWillow DESIGN

1/4" = 1'-0"
VARIANCE REQUEST
INTERIOR ELEV
6/23/20

A3.0

1 SECTION 1
1/4" = 1'-0"

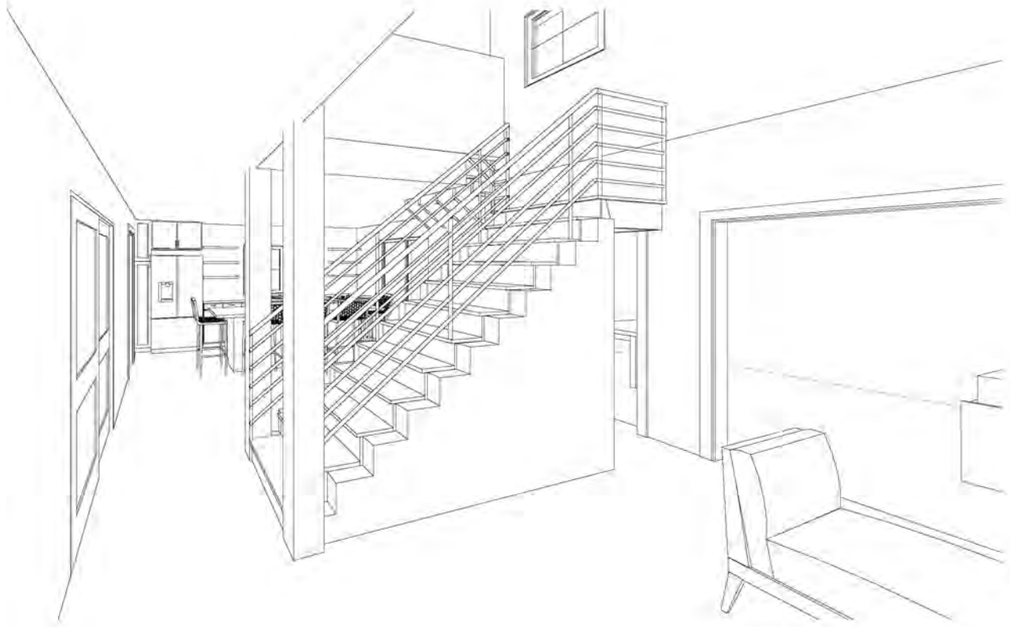
RIFF CABIN

LOT 9, CRANE ISLAND
HENNEPIN COUNTY, MN

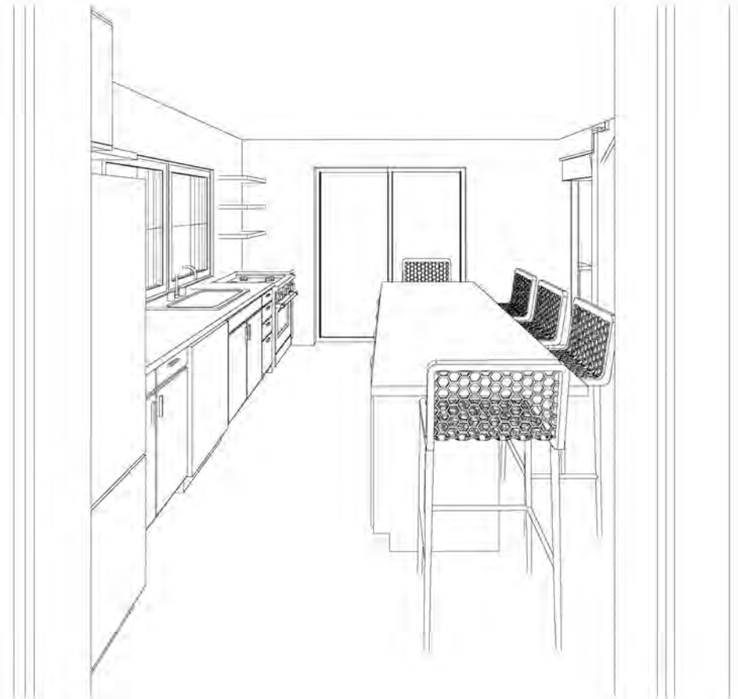
blueWillow DESIGN

1/4" = 1'-0"
VARIANCE REQUEST
SECTIONS
6/23/20

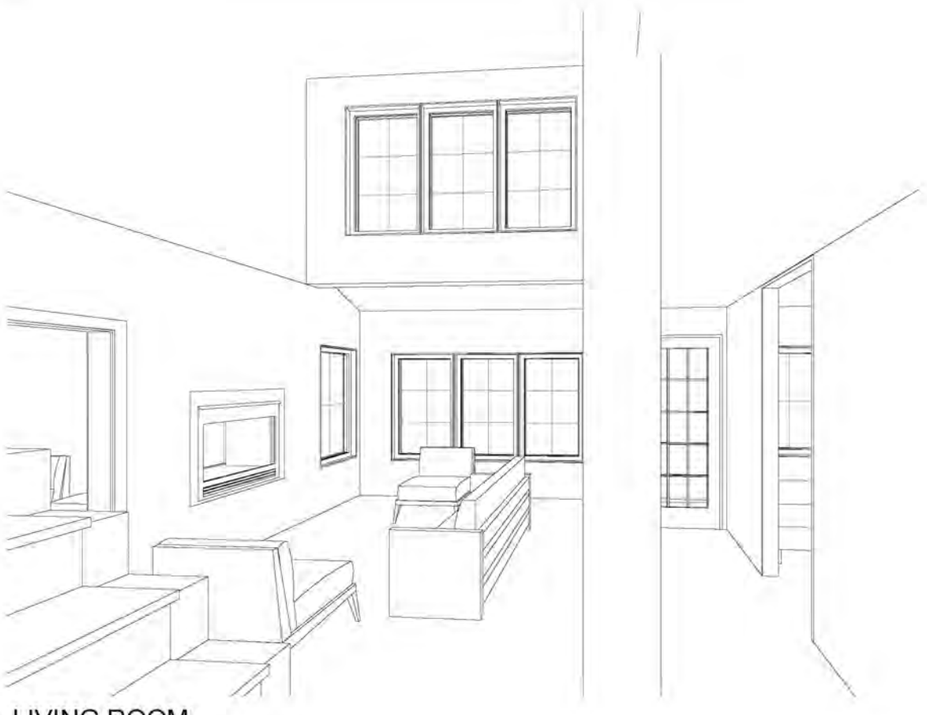
A4



1 STAIRS



2 KTICHEN



3 LIVING ROOM

RIFF CABIN

LOT 9, CRANE ISLAND
HENNEPIN COUNTY, MN

blueWillow DESIGN

VARIANCE REQUEST
PERSPECTIVE VIEWS
6/23/20

A5.0

130982 36/117/24 RIFF, JENNIFER

ADVANCE SURVEYING & ENGINEERING CO.

5300 S. Hwy. No. 101 Minnetonka, MN 55345 Phone (952) 474 7964 Fax (952) 225 0502 www.advsur.com

SURVEY FOR: ***JENNIFER RIFF***

SURVEYED: January 2, 2014 DRAFTED: January 2, 2014
REVISED: January 3, 2014 to show addition.

LEGAL DESCRIPTION:
Lot 9, Crane Island, Hennepin County, Minnesota.

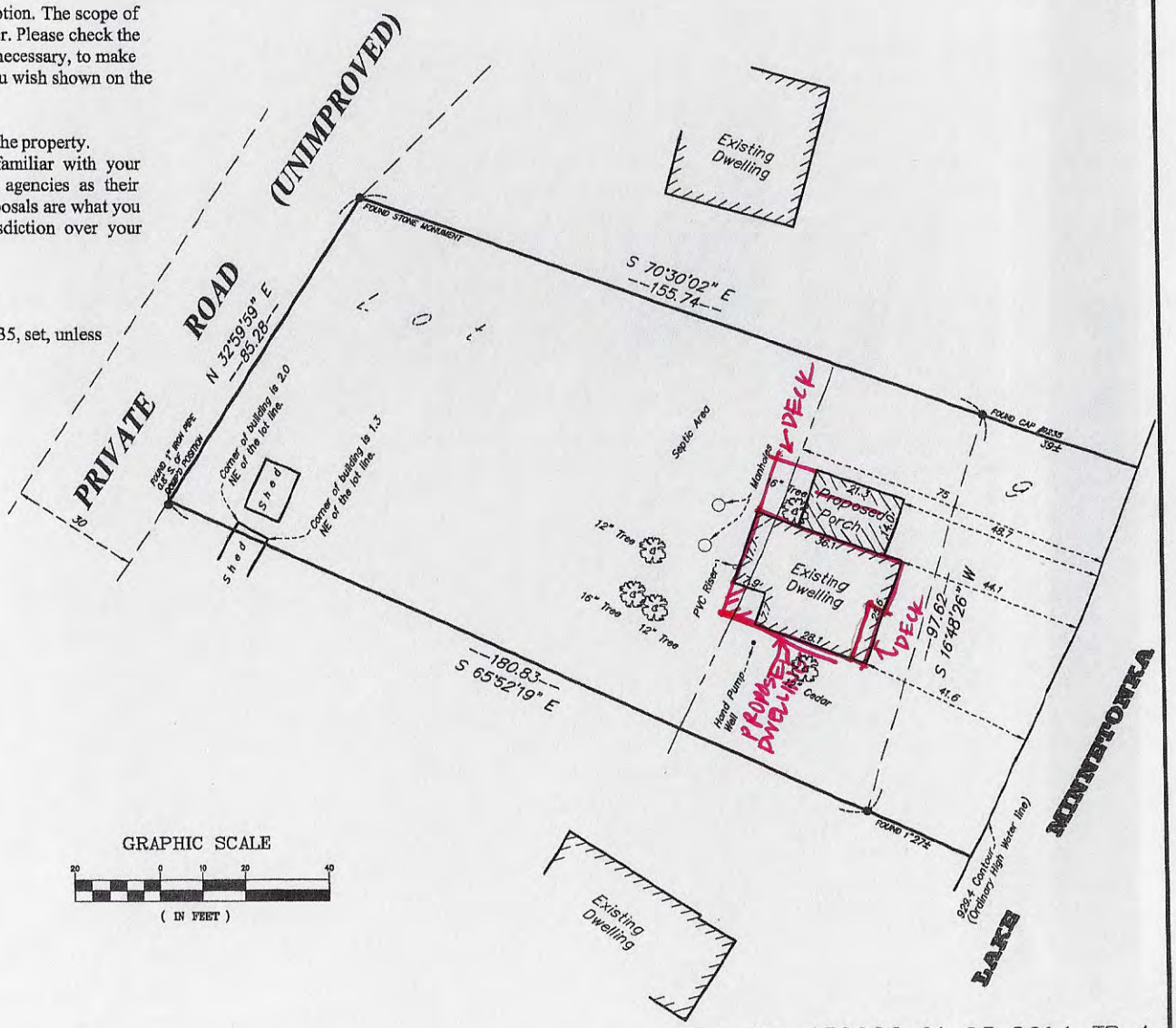
SCOPE OF WORK:
1. Showing the length and direction of boundary lines of the above legal description. The scope of our services does not include determining what you own, which is a legal matter. Please check the legal description with your records or consult with competent legal counsel, if necessary, to make sure that it is correct, and that any matters of record, such as easements, that you wish shown on the survey, have been shown.
2. Showing the location of existing improvements we deemed important.
3. Setting new monuments or verifying old monuments to mark the corners of the property.
4. While we show proposed improvements to your property, we not as familiar with your plans as you are nor are we as familiar with the requirements of governmental agencies as their employees are. We suggest that you review the survey to confirm that the proposals are what you intend and submit the survey to such governmental agencies as may have jurisdiction over your project to gain their approvals if you can.

STANDARD SYMBOLS & CONVENTIONS:
" ● " Denotes 1/2" ID pipe with plastic plug bearing State License Number 9235, set, unless otherwise noted.

CERTIFICATION:
I hereby certify that this plan, specification, report or survey was prepared by me or under my direct supervision and that I am a licensed Professional Engineer and Professional Surveyor under the laws of the State of Minnesota.

Signature: *James H. Parker* Typed Name: James H. Parker

Date: January 2, 2014 Reg. No. 9235



Dwg. No. 130982 01 03 2014 TB A

From:	Randy T. Morgan
To:	Nickolas Olson
Subject:	PID#36-117-24-23-0010
Date:	Monday, July 20, 2020 12:46:22 PM
Attachments:	image002.png

Mr. Nick Olson,

Caryl and Randy Morgan 4772 Crane Island:

We are in support of the Riff's variance request. The design will enhance the character and charm of the island.

Bests, Randy Morgan

Randy Morgan, CLU
Christensen Group Insurance
9855 West 78th Street, Suite 100
Eden Prairie, MN 55344
T: 952.653.1013 | C: 612.802.2173 | F: 952.653.1100
Rmorgan@ChristensenGroup.com I

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This email was scanned by Bitdefender

From: Brian D. Zelickson
To: Nickolas Olson
Subject: Riff variant request
Date: Monday, July 20, 2020 12:52:29 PM

As a direct neighbor of the Riffs we would like to send our support for their variant application on Crane Island.

Brian and Mary Zelickson

Sent from my iPhone

From: Joe Cavanaugh
To: Nickolas Olson
Subject: Variance application PID# 36-117-24-23-0010
Date: Monday, July 20, 2020 9:19:20 PM

Hello Nick,

I'm writing to support the variance application made by Josh and Jenifer Riff. I live a couple houses away and have no issues with the application.

Thank you for your consideration.
Joe Cavanaugh

Joshua and Jennifer Riff

PID# 36-117-24-23-0010

Sent from my iPhone

From: Frances Wilkinson
To: Nickolas Olson
Subject: Variance requestfor Riff project on Crane Island
Date: Monday, July 20, 2020 4:38:57 PM

Dear Mr. Olson,

I am sending this email to communicate our support for the variance request for our Crane Island neighbors,Josh and Jennifer Riff. Our association has discussed the project with the Riffs and know it will be thoughtful, well executed, and compatible with our Island's size, scale and aesthetic.

Thank you for your consideration,

Frances and Frank Wilkinson
4773 Crane Island lot 3

RESOLUTION NO. 082-2020

CITY OF MINNETRISTA

RESOLUTION APPROVING A LAKESHORE SETBACK VARIANCE OF 33.4 FEET TO ALLOW FOR THE CONSTRUCTION OF A 2 STORY HOME WITHIN THE FOOTPRINT OF THE EXISTING 1 ½ STORY HOME AT 4779 CRANE ISLAND

WHEREAS, the City of Minnetrista (the "City") is a municipal corporation, organized and existing under the laws of the State of Minnesota; and

WHEREAS, the City Council of the City of Minnetrista has adopted zoning and subdivision regulations, per Chapter 5 of the Municipal Code, to promote the orderly, economic and safe development and utilization of land within the city; and

WHEREAS, Joshua and Jennifer Riff (the "Applicants") have made an application for a setback variance to reduce the required lakeshore setback from 75 feet to 41.6 feet to allow for a 2-story home within the footprint of the existing 1 ½-story home on the property generally located at 4779 Crane Island (the "Property") and which is legally described as:

Lot 9, Crane Island, Hennepin County, Minnesota; and

WHEREAS, on July 27, 2020, the Minnetrista Planning Commission considered the requested lakeshore setback variance, held a public hearing and, after consideration of the record before it, voted 7-0 in favor of recommending approval of the requested setback variance; and

WHEREAS, the City Council has reviewed the application, as submitted, and has made the following findings of fact:

1. The requested variance is in harmony with the purpose and intent of the City's zoning ordinances because utilizing the existing footprint for the inclusion of a full second story is a proper use of the Property and the Applicants have worked on a design to minimize the impact to neighboring properties;
2. The requested variance is consistent with the City's comprehensive plan because the Property is guided for long term residential use per the 2040 Comprehensive Plan. The proposed home is consistent with the long range plan for the Property and will not further clutter the shoreline by utilizing the existing building's footprint;
3. The Applicants propose to use the Property in a reasonable manner because utilizing the existing footprint is reasonable and the existing home is in need of many structural repairs, so replacing the home entirely is also reasonable;
4. The requested variance is the result of unique circumstances not created by the landowner because the existing home is a legal, non-conforming structure which was built well before

the Applicants owner the Property and the location of the septic to the north of the home eliminates the ability to move the structure further away from the lake; and

5. The requested variance will not alter the character of the locality because numerous homes on Crane Island are closer than 75 feet from the lakeshore, there are other homes that have a full second story, and many have went through at least one remodel since their original construction.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Minnetrista hereby approves the requested lakeshore setback variance to reduce the required setback from 75 feet to 41.6 feet on the property located at 4779 Crane Island for the construction of a 2-story home within the footprint of the existing 1 ½-story home, as submitted with the variance application, subject to the following conditions:

1. The construction shall be consistent with the plan and survey documents submitted with this variance application;
2. Any required grading shall maintain existing drainage patterns or improve the existing drainage of the lot and adjacent lots;
3. The Applicants obtain all necessary permits and approvals from the City and other applicable entities with jurisdiction over the Property prior to any construction;
4. The Applicants are responsible for all fees incurred by the City in review of this application; and
5. The variance approval is valid for one year from the date of approval and will become void and expire unless a building permit has been issued for the site.

This resolution was adopted by the City Council of the City of Minnetrista on the 3rd day of August, 2020 by a vote of ___ Ayes and ___ Nays.

_____
Lisa Whalen, Mayor

ATTEST:

_____
Kris Linquist, City Clerk
(SEAL)

CITY OF MINNETRISTA

CONSENT AGENDA

Subject:	**Extension Request for Elliott and Christina Loutsch for a Rear Yard Setback Variance Approval**
Prepared By:	**Nickolas Olson, City Planner**
Through:	**David Abel, Community Development Director**
Meeting Date:	**August 3, 2020**

Issue: Elliott and Christina Loutsch (the "Applicants") have submitted a request to extend their rear yard setback variance approval at 4896 Red Oak Lane (the "Property") for an additional year. The variance approval is set to expire on August 5, 2020.

Background: The Applicants received approval for a rear yard setback variance on August 5, 2019. Since that time, the Applicants have received contractor quotes that exceed their current available resources, some of which have been allocated elsewhere due to circumstances changing over the past year. As a result, the Applicants wish to extend the approval an additional year to August 5, 2021.

Conclusion: The request for a one year extension is reasonable given the circumstances. In the past, on other requests where it has been known ahead of time that it may take longer, the City has given 2 years with the initial request. The extension request of the Applicants is consistent with past practices for longer than expected variance projects. Also, nothing else has changed that would alter the original approval. Therefore, staff would support this extension request. If approved, the extension would give the applicants until August 5, 2021 to apply for a deck permit.

Recommended City Council Action: Motion to adopt a resolution approving a one year extension to a rear yard setback variance approval at 4896 Red Oak Lane.

Hennepin County Property Map

Date: 7/11/2019

PARCEL ID: 12-117-24-11-0024

OWNER NAME: E Loutsch & C Loutsch

PARCEL ADDRESS: 4896 Red Oak La, Minnetrista MN 55364

PARCEL AREA: 0.18 acres, 7,667 sq ft

Comments:

This data (i) is furnished 'AS IS' with no representation as to completeness or accuracy; (ii) is furnished with no warranty of any kind; and (iii) is notsuitable for legal, engineering or surveying purposes. Hennepin County shall not be liable for any damage, injury or loss resulting from this data.

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From:	Elliott Loutsch
To:	Nickolas Olson
Subject:	Loutsch Variance Extension
Date:	Thursday, July 16, 2020 8:07:58 PM

To whom it may concern,

We are requesting an extension on the variance granted on our property for construction of a deck. Over the last 12 months, we have received contractor quotes for deck construction that tend to be north of $20,000. Due to circumstances over the past year, our resources have been allocated elsewhere and we have not been able to commit the funds to be able to complete the deck. We are requesting a 12 month extension in the hopes to start project in the near future. Thank you in advance for your consideration in granting us an extension.

Respectfully,

Elliott and Tina Loutsch

RESOLUTION NO. 083-2020

CITY OF MINNETRISTA

RESOLUTION APPROVING A ONE YEAR EXTENSION TO A REAR YARD SETBACK VARIANCE FOR ELLIOTT AND CHRISTINA LOUTSCH AT 4896 RED OAK LANE

WHEREAS, the City of Minnetrista is a municipal corporation, organized and existing under the laws of the State of Minnesota; and

WHEREAS, the City Council of the City of Minnetrista has adopted zoning and subdivision regulations, per Chapter 5 of the Municipal Code, to promote the orderly, economic and safe development and utilization of land within the City; and

WHEREAS, Elliott and Christina Loutsch (the "Applicants") have requested a one year extension to their rear yard setback variance approval (the "Approval") located at 4896 Red Oak Lane (the "Property"), which is legally described as:

Lot 4, Block 3, Red Oak of Minnetrista, Hennepin County, Minnesota; and

WHEREAS, the City Council originally granted the Approval to the Applicants on August 5, 2019, and the Approval was valid for one year, until August 5, 2020; and

WHEREAS, market conditions do not allow the Property to be developed in accordance with the Approval at this time; and

WHEREAS, zoning regulations have not changed with respect to the Approval.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Minnetrista hereby approves a one year extension to the rear yard setback variance at 4896 Red Oak Lane, allowing the Applicants until August 5, 2021, to submit for a deck permit.

This resolution was adopted by the City Council of the City of Minnetrista on this 3rd day of August, 2020 by a vote of ___ Ayes and ___ Nays.

_____
Lisa Whalen, Mayor

ATTEST:

_____
Kris Linquist, City Clerk
(SEAL)

CITY OF MINNETRISTA

BUSINESS / DISCUSSION ITEM

Subject: Storm Water Asset Management Program (SWAMP) update

Prepared By: Michael Barone, City Administrator

Meeting Date: August 3, 2020

Information

Alyson Fauske, Gary Peters, and I have met to discuss SWAMP after the City Council discussed this topic at the June 1, 2020, City Council Work Session.

At that meeting, the Council reviewed the materials created by Bill Alms of WSB Engineering, but the presentation was given by Jake Newhall of WSB. Originally, this topic was scheduled to be presented at the May 18 Work Session by Mr. Alms, but got moved to June 1 when we ran out of time during the May 18 Work Session, so it was presented by Mr. Newhall.

If you recall from that discussion, the SWAMP data had been updated to account for the construction of new ponds, changes in pond ownership, and adding dates of construction and as-built pond depth data as it became available.

At the June 1 Work Session, staff recommended that a SWAMP survey score of 75 or less be the threshold for considering the performance of a bathometric inspection, with results driving potential maintenance activities.

The Council chose to adjust the SWAMP survey score to 65 as the threshold, and directed staff to draft informational letters to HOA's and other property owners. We are providing a few items for Council's review this evening:

1. A list of all ponds broken out by HOA or other ownership groups. This should give the Council an idea of who (HOA, etc.) is responsible for how many ponds, including the city.
2. Within each HOA or ownership group is a list of all ponds, ranked from "worst" to "best" numerically according to the 2020 SWAMP score. Those listed in yellow for each group currently have a score under the 65 threshold.
3. The next table for each ownership group shows the anticipated SWAMP score for 2030 (10 years from now) that will possibly fall below the 65 threshold, but as of 2020, do not fall below the 65 threshold. This is an estimate based on current data.
4. After that, there is one final table that shows ponds that don't have a SWAMP score under 65 now, nor is it anticipated that the score will be under 65 in 2030, either. Again, this is an estimate for the 2030 SWAMP score.
5. The final page of the data shows a compiled list of all ponds currently under the 65 score threshold for 2020. There are a total of 19 ponds within the City that are under this score. The

breakdown is Woodland Cove MA has 9, Hunters Crest HOA has 3, Private ownership has 3, Palmer Pointe HOA has 2, Hermitage Shores HOA has 1, and the City of Minnetrista has 1.

City staff are still investigating the ownership or responsibility for the three "private" ponds seen in the list.

Also included is a draft letter to go to any group on this list. This particular letter has the three ponds for the Hunters Crest HOA, but it is just an example. Staff is looking for feedback on where to start, whether it's with Hunters Crest or any other /all other ponds that are under the 65 threshold. We would like to discuss a starting point for venturing into this endeavor.

Recommended City Council Action: Review and discuss data for SWAMP, review draft letter, and direct staff as to next steps in this process.

Does Recommended Action meet City Mission Statement? ☒ Yes ☐ No
Does Recommended Action meet City Goals/Priorities? ☒ Yes ☐ No
Explain:

Woodland Cove

Pond Inspection Recommendations (2020 SWAMP Score under 65)					
Basin ID	**SWAMP Ownership Classification**	**Year Constructed / Possible Owner**	**2020 SWAMP Score**	**Estimated 2030 SWAMP Score**	**Justification**
P-085A	Woodland Cove MA	2013	0	0	Forebay, not a pond
P-086	Woodland Cove MA	2013	0	0	Forebay, not a pond
P-095	Woodland Cove MA	2013	0	0	Forebay, not a pond
P-031	Woodland Cove MA	2013	3	0	Forebay, not a pond
P-042A	Woodland Cove MA	2013	18	0	Forebay, not a pond
P-035	Woodland Cove MA	2013	40	0	Forebay, not a pond
P-032	Woodland Cove MA	2013	51	0	Forebay, not a pond
P-085	Woodland Cove MA	2013	62	9	Forebay, not a pond
P-092	Woodland Cove MA	2013	64	12	Forebay, not a pond

Pond Inspection Recommendations (2030 SWAMP Score under 65)					
P-088	Woodland Cove MA	2013	68	23	Forebay, not a pond
P-042	Woodland Cove MA	2013	74	36	Forebay, not a pond
P-034	Woodland Cove MA	2013	78	47	Forebay, not a pond
P-105	Woodland Cove MA	2013	78	47	Forebay, not a pond
P-104	Woodland Cove MA	2013	84	61	Forebay, not a pond

Woodland Cove

Remaining Pond Inspection Scores (SWAMP score not under 65 in 2020 or 2030)

P-037	Woodland Cove MA	2013	89	73	Forebay, not a pond
P-106	Woodland Cove MA	2013	90	75	Forebay, not a pond
P-030	Woodland Cove MA	2013	91	78	
P-043	Woodland Cove MA	2013	93	83	
P-033	Woodland Cove MA	2013	94	84	
P-099	Woodland Cove HOA	2017	98	90	
P-044	Woodland Cove LLC	2017	98	90	
P-038	Woodland Cove MA	2013	96	90	
P-027	Woodland Cove HOA	2017	98	91	
P-028	Woodland Cove HOA	2017	98	91	
P-026	Woodland Cove MA	2014	97	91	
P-097	Woodland Cove HOA	2017	98	92	
P-045	Woodland Cove LLC	2015	98	93	
P-103	Woodland Cove LLC	2017	98	93	
P-039	Woodland Cove MA	2013	97	93	
P-102	Woodland Cove HOA	2013	97	93	
P-100	Woodland Cove HOA	2017	99	94	
P-098	Woodland Cove HOA	2017	99	94	
P-025	Woodland Cove LLC	2014	98	94	
P-024	Woodland Cove LLC	2014	98	94	
P-089	Woodland Cove LLC	2017	100	99	
P-096	Woodland Cove MA	2013	100	100	
P-090	Woodland Cove MA	2013	100	100	
P-131	Woodland Cove MA	2018	100	100	
P-132	Woodland Cove MA	2018	100	100	

Hunters Crest

Pond Inspection Recommendations (2020 SWAMP Score under 65)					
P-013	Hunters Crest HOA	2003	31	24	Undersized and age
P-012	Hunters Crest HOA	2003	51	45	Age
P-010	Hunters Crest HOA	2002	54	48	Age

Pond Inspection Recommendations (2030 SWAMP Score under 65)
None

Remaining Pond Inspection Scores (SWAMP score not under 65 in 2020 or 2030)					
P-001	Hunters Crest HOA	2008	90	83	
P-006	Hunters Crest HOA	2007	92	86	
P-008	Hunters Crest HOA	2003	91	86	
P-011	Hunters Crest HOA	2004	93	88	
P-002	Hunters Crest HOA	2007	94	89	
P-009	Hunters Crest HOA	2002	93	89	

Palmer Pointe

Pond Inspection Recommendations (2020 SWAMP Score under 65)					
P-069	Palmer Pointe HOA	2008	41	26	Undersized
P-068	Palmer Pointe HOA	2008	58	46	Undersized

Pond Inspection Recommendations (2030 SWAMP Score under 65)
None

Remaining Pond Inspection Scores (SWAMP score not under 65 in 2020 or 2030)
None

Hermitage Shores HOA

Pond Inspection Recommendations (2020 SWAMP Score under 65)					
P-071	Hermitage Shores HOA	2008	65	35	Undersized

Pond Inspection Recommendations (2030 SWAMP Score under 65)					
P-076	Hermitage Shores HOA	2008	74	52	Undersized
P-115	Hermitage Shores HOA	2008	74	53	Undersized

Remaining Pond Inspection Scores (SWAMP score not under 65 in 2020 or 2030)					
P-070	Hermitage Shores HOA	2008	92	86	

Trillium Bay HOA

Pond Inspection Recommendations (2020 SWAMP Score under 65)
None

Pond Inspection Recommendations (2030 SWAMP Score under 65)					
P-079	Trillium Bay HOA	1994	70	58	Undersized and age

Remaining Pond Inspection Scores (SWAMP score not under 65 in 2020 or 2030)					
P-078	Trillium Bay HOA	1994	89	85	
P-077	Trillium Bay HOA	1994	93	90	
P-080	Trillium Bay HOA	1995	97	96	

City of Minnetrista

Pond Inspection Recommendations (2020 SWAMP Score under 65)					
P-064	City of Minnetrista (by Jennings Cove Park)	1987	9	1	Undersized and age

Pond Inspection Recommendations (2030 SWAMP Score under 65)
None

Remaining Pond Inspection Scores (SWAMP score not under 65 in 2020 or 2030)					
P-058	City of Minnetrista (behind 5895 Sunnybrook Ln)	2002	87	80	
P-130	City of Minnetrista (PW Shop pond)	1995	86	80	
P-120	City of Minnetrista	1998	87	80	
P-075	City of Minnetrista (behind Well #3)	1986	87	84	
P-055	City of Minnetrista (by Slow Creek Park)	2002	90	84	
P-016	City of Minnetrista (behind North Lisle Park)	2003	92	87	
P-018	City of Minnetrista (Lisle Pk-east of lg parking lot near Hunters Trl)	2008	95	90	
P-017	City of Minnetrista (Lisle Pk-east of lg parking lot further from Hunters Trl)	2008	98	93	
P-007	City of Minnetrista (Linden Park pond)	2003	100	100	

Other

Pond Inspection Recommendations (2020 SWAMP Score under 65)					
W-9	Private	2003	40	?	Undersized and age
P-061	Private	1996	43	38	Age
P-121	Private	1994	56	39	Undersized and age

Pond Inspection Recommendations (2030 SWAMP Score under 65)					
P-057	Private	2004	70	51	Undersized and age

Remaining Pond Inspection Scores (SWAMP score not under 65 in 2020 or 2030)					
P-047	Private	1998	82	74	Undersized and age
P-118	Three Rivers Park District	1979	79	74	Age
P-067	Private	1987	83	78	
P-056	Eternity Homes LLC	2002	86	79	
P-005	Hennepin Forfeited	2006	87	82	
P-048	Private	2001	88	82	
P-050	Private	2000	90	84	
P-059	School District 277	2004	90	84	
P-062	Private	1999	89	84	
P-117	Three Rivers Park District	1995	89	84	
P-022	Private	2003	91	85	
P-023	Private	2003	91	85	
P-060	School District 277	2002	90	85	
P-065	Private	2008	92	85	
P-122	Orchard Cove HOA	2015	95	85	
P-003	Private	2008	92	86	
P-020	Private	2003	91	86	
P-021	Private	2003	91	86	
P-125	Private	2004	91	86	
P-066	Private	2008	93	87	

Other (continued)

Remaining Pond Inspection Scores (SWAMP score not under 65 in 2020 or 2030)

P-083	Private	2002	91	87	
P-084	Private	1987	92	87	
P-123	Private	2012	94	87	
P-127	Private	1988	90	87	
P-015	Hennepin Forfeited	2006	93	88	
P-019	Private	2003	92	88	
P-081	Hennepin Forfeited	2002	93	89	
P-116	Eternity Homes LLC	2008	94	89	
P-124	Private	2009	94	89	
P-004	Private	2008	95	90	
P-128	Private	1988	94	92	
P-126	Private	2000	98	97	
P-014	Commerce Bank	2006	100	100	

Pond Inspection Recommendations (2020 SWAMP Score under 65)

	Basin ID	SWAMP Ownership Classification	Year Constructed / Possible Owner	2020 SWAMP Score	Estimated 2030 SWAMP Score	Justification
1	P-085A	Woodland Cove MA	2013	0	0	Forebay, not a pond
2	P-086	Woodland Cove MA	2013	0	0	Forebay, not a pond
3	P-095	Woodland Cove MA	2013	0	0	Forebay, not a pond
4	P-031	Woodland Cove MA	2013	3	0	Forebay, not a pond
5	P-064	City of Minnetrista	1987	9	1	Undersized and age
6	P-042A	Woodland Cove MA	2013	18	0	Forebay, not a pond
7	P-013	Hunters Crest HOA	2003	31	24	Undersized and age
8	P-035	Woodland Cove MA	2013	40	0	Forebay, not a pond
9	W-9	Private	2003	40	?	Undersized and age
10	P-069	Palmer Pointe HOA	2008	41	26	Undersized
11	P-061	Private	1996	43	38	Age
12	P-032	Woodland Cove MA	2013	51	0	Forebay, not a pond
13	P-012	Hunters Crest HOA	2003	51	45	Age
14	P-010	Hunters Crest HOA	2002	54	48	Age
15	P-121	Private	1994	56	39	Undersized and age
16	P-068	Palmer Pointe HOA	2008	58	46	Undersized
17	P-085	Woodland Cove MA	2013	62	9	Forebay, not a pond
18	P-092	Woodland Cove MA	2013	64	12	Forebay, not a pond
19	P-071	Hermitage Shores HOA	2008	65	35	Undersized

<Date>

<Name>
<Title>
<HOA>
<Address Line 1>
<Address Line 2>

Re: Private Stormwater Ponds/Best Management Practice Inspection and Maintenance Review

Dear <Name>:

Our records indicate that there is at least one stormwater pond/best management practice (BMP) on your property that was constructed or modified through a permit with either the City of Minnetrista or the Watershed District. BMPs are constructed to protect and restore surface water resources by treating stormwater runoff, which can contain pollutants such as sediment and phosphorus. These pollutants are removed by the BMP before entering our natural waterways.

Stormwater BMPs can be under public (ex. City) or private (ex. Homeowners' Associations) ownership. The City owns and maintains the storm sewer systems in the streets that collect and convey runoff to BMPs. The City is required by its Municipal Separate Storm Sewer System (MS4) permit from the Minnesota Pollution Control Agency (MPCA) to verify the condition and function of these stormwater facilities on a regular basis.

The purpose of this letter is to serve as an initial communication between the City and private BMP owners. We would like to meet with you to verify the BMPs on your property, update City records with any inspection or maintenance data you have available, and discuss next steps regarding the BMPs. Additional information on this process is given below.

The City of Minnetrista utilizes the Storm Water Asset Management Program (SWAMP) to prioritize inspection and maintenance requirements of public and private BMPs within the City.

The SWAMP program provides a score between 0 and 100 for each BMP, where 100 represents a BMP that is functioning as designed. The program uses existing data like size, location, age, and other factors for each BMP to estimate the reported SWAMP score. The City recommends performing an inspection on any BMP with a SWAMP score less than 65. <Number> of your BMPs fall into this category, as identified in **Table 1** and **Figures 1-2** below.

701 XENIA AVENUE S | SUITE 300 | MINNEAPOLIS, MN | 55416 | 763.541.4800 | WSBENG.COM

Table 1: Pond Inspection Recommendations (SWAMP Score ≤ 65)

Basin ID	SWAMP Ownership Classification	Year Constructed	2020 SWAMP Score
P-13	Hunter's Crest HOA	2003	31
P-12	Hunter's Crest HOA	2003	51
P-10	Hunter's Crest HOA	2002	54

Conducting a bathymetric pond inspection will help you to determine any maintenance needs of the BMPs described in **Table 1**. A bathymetric pond inspection includes measuring the pond depth, noting areas of sediment accumulation, and observing the general condition and function of the pond, including its inlets and outlets. The data collected during a bathymetric survey allows for the computation of average depth and determination of maintenance needs. Depending on the size of the pond, a bathymetric survey and the resulting analysis typically cost between $500-$1200.

Bathymetric surveys can be completed anytime, however performing them in the spring is recommended, before full vegetation growth. Vegetation can inhibit depth measurements and make accurate measurements more challenging.

Figure 1: Pond Inspection Recommendations (SWAMP Score ≤ 65)

Although the City cannot recommend companies to perform bathymetric surveys, we recommend searching for a company with experience performing these kinds of surveys. The number of bathymetric inspections performed per year is one way to gauge level of

experience. The following search phrases may help you find a trusted company to work with:

- Engineering consulting company MN (or near me)
- Bathymetric survey company MN (or near me)
- Hydrographic survey company MN (or near me)
- Pond inspection company MN (or near me)

As the City Engineer for the City of Minnetrista, please contact me at afauske@wsbeng.com or 763.512.5244 to schedule a meeting and with any questions or concerns.

Sincerely,
WSB

Alyson Fauske
City Engineer

cc: Mike Barone, City Administrator

alp

CITY OF MINNETRISTA

BUSINESS / DISCUSSION ITEM

Subject: Road Fund Update

Prepared By: Alyson Fauske, PE, City Engineer

Meeting Date: August 3, 2020

Background/Discussion:

Council requested a Roads Fund update in August to determine what funding would be available for 2021 Local Street Improvements. The estimated end of the year fund balance is $305,000. A summary of the potential 2021 local projects that were discussed is as follows:

Project Area	Estimated Cost	Amount Assessed	Difference
Hardscrabble	$518,000.00	$259,000.00	$259,000.00
Loring	$309,000.00	$154,500.00	$154,500.00
Stonebridge	$278,000.00	$139,000.00	$139,000.00
Total	**$1,105,000.00**	**$552,500.00**	**$552,500.00**

Staff requests direction as to which streets should be included in the 2021 Local Street Improvement Project.

Fund Balance as of 8-3-20	$ 681,459.99
Crack Fill Seal Coat Contract	$ (22,982.75)
Overlay Projects (with Fielding)	$ (150,000.00)
Highland Road Transfer for P & I	$ (25,000.00)
Lakeview/Margaret Shady (local street project)	$ (485,500.00)
Second 1/2 tax revenue amount from Hennepin County	$ 300,000.00
second half projected Special Assessments	$ 7,000.00
Projected balance end of 2020 (12-31-20)	**304,977.24**

For reference fund balance at 12-31-19
was $ 307,142