Ordinance No. 2017-10

Ordinance rezoning the existing properties at 17710 and 17724 Old Excelsior Boulevard from B-1, office, to R-5, high density residential

The City Of Minnetonka Ordains:

Section 1.

1.01 The properties at 17710 and 17724 Old Excelsior Boulevard are hereby rezoned from B-1, office, to R-5, high-density residential.

1.02 The properties are legally described as EXHIBIT A.

Section 2.

2.01 This ordinance is based on the following findings:

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

2. The rezoning would be consistent with the public health, safety, and welfare.

Section 3.

3.01 Approval is subject to the following conditions:

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

   • Preliminary Plat, date received June 28, 2017
   • Revised Site Plan, date received August 1, 2017
   • Site Plan Enlargement, date received June 28, 2017
   • Grading Plan, date received June 28, 2017
• Utility Plan, date received June 28, 2017
• Landscape Plan, date received June 28, 2017
• Landscape Plan Nots and Details, date received June 28, 2017
• SWPPP - Proposed Conditions, date received June 28, 2017
• SWPPP- Details, date received June 28, 2017
• Architectural Plans (A.01, A1.1, A1.2, A3.1, A3.2, A3.3), date received June 28, 2017


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

Section 5. This ordinance is effective immediately.

Adopted by the city council of the City of Minnetonka, Minnesota, on August 28, 2017.

Patty Acomb, Acting Mayor

ATTEST:

David E. Maeda, City Clerk

ACTION ON THIS ORDINANCE:

Date of introduction:    July 24, 2017
Date of adoption:        August 28, 2017
Motion for adoption:     Bergstedt
Seconded by:             Allendorf
Voted in favor of:       Wiersum, Bergstedt, Ellingson, Allendorf, Acomb
Voted against:           
Abstained:               
Absent:                  Wagner, Schneider

Ordinance adopted.
I certify that the foregoing is a correct copy of an ordinance adopted by the city council of the City of Minnetonka, Minnesota at a regular meeting held on August 28, 2017.

David E. Maeda, City Clerk
EXHIBIT A

PARCEL A (17710 Old Excelsior Blvd (per Title Commitment No. 32439)):

Tract E. REGISTERED LAND SURVEY No. 1496, Hennepin County, Minnesota.
(Torrens Property)
(Torrens Certificate No. 1116134)

PARCEL B (17724 Old Excelsior Blvd (per Title Commitment No. 52871)):

That part of the Southeast Quarter of Section 30, Township 117, Range 22, described as

follows:

Beginning at the intersection of the West line of the East 544.42 feet of the
Southeast Quarter of said Section 30, and the Northeasterly line of Excelsior Boulevard, now
known as County Road No. 3; thence north along said West line of said East 544.42 feet a
distance of 300.00 feet; thence East at right angles a distance of 145.00 feet; thence
South on a line 145.00 feet East of, measured at right angles to and parallel with, said
West line to the Northeasterly line of said County Road No. 3; thence Northwesterly along
the Northeasterly line of said County Road to place of beginning. Hennepin County,
Minnesota.