



To: MAYOR AND COUNCIL

Agenda Item #: VIII.G

From: Cary Teague, Community Development Director

Action

Discussion

Date: February 3, 2015

Information

Subject: Resolution No. 2015-19. Request to work within a Conservation Easement at 5238 West Highwood Drive for Missy and Leonard Blum.

Action Requested:

Adopt the attached resolution granting permission to perform work within the Conservation Easement.

Information / Background:

The applicant, Missy and Leonard Blum are requesting permission to perform work within a Conservation Easement for the purpose of installing retaining walls and a pathway to Mirror Lake within the easement area. Work would include grading, tree removal, tree replanting, and installation of three underground stormwater treatment areas to filter out sediment before draining into Mirror Lake. (See location on pages A1-A4.) The applicant would like to tear down the existing home on the property and build a new one outside of the easement area. (See applicant narrative and plans on pages A5-A27.)

The property was subdivided in 1981; the conservation easement was placed on the two lots on Mirror Lakes. (See the easement on pages A7-A14 and the plat on page A15.) The purpose of the easement is to:

1. Assure that the easement remain in a natural condition;
2. constitute scenic surroundings; and
3. constitute a suitable habitat for fish and wildlife.

As demonstrated on pages A1-A4, generally there are trees along the shoreline of Mirror lake. There are a few with manicured lawns down to the lake (such as the two homes across the lake at 5208 and 5212 Dundee).

The applicant believes that the plans would still maintain the intent of the original easement. The stormwater treatment areas will filter out sediment before draining into Mirror Lake, which would improve the quality of the lake; trees along the lake would be maintained, so the views from across the lake would not be dramatically impacted; wildlife would still be able to access the area as a continuation from Fox Meadow Park to the north.

The proposed plans require approval from the Nine Mile Creek Watershed District. The applicant has met with the District, and believe that the plans meet their requirements. Engineering staff has reviewed the proposed plans and offer comments on page A28.

Staff believes there should be an equal amount of trees/landscaping replanted that are removed within the easement area. There may be opportunity to save additional trees working with the city forester. A few of the trees planned for removal are in poor health. The 30-inch Oak has a bad lean and root collar rot evident at ground line and thus justified for removal. Two other Oaks were previously topped and did not appear to be in a very healthy state.

ATTACHMENTS:

- Resolution No. 2015-19
- Applicant Narrative and Plans
- Engineering Review Memo



RESOLUTION NO. 2015-19
RESOLUTION GRANTING PERMISSION TO WORK WITHIN A CONSERVATION
EASEMENT AT 5240 HIGHWOOD DRIVE FOR MISSY AND LEONARD BLUM

Section 1. BACKGROUND.

- 1.01 Missy and Leonard Blum are requesting permission to perform work within a Conservation Easement for the purpose of installing retaining walls and a pathway to Mirror Lake within the easement area.
- 1.02 Work would include grading, tree removal, tree replanting, and installation of three underground stormwater treatment areas to filter out sediment before draining into Mirror Lake.
- 1.03 The applicant is proposing to tear down the existing home on the property and build a new one outside of the easement area.

Section 2. FINDINGS

- 2.01 Approval is subject to the following findings:
 1. The proposal would meet the intent of the easement to remain generally a natural area, constitute scenic surroundings suitable for habitat for fish and wildlife.
 2. The proposed work would be consistent with other properties on Mirror Lake. The trees along the shoreline would be preserved; there would be landscaping and access to the lake.
 3. There would be an equal amount of trees/landscaping replanted. A few of the trees planned for removal are in poor health. The 30 inch Oak has a bad lean and root collar rot evident at ground line and thus justified for removal. Two other Oaks were previously topped and did not appear to be in a very healthy state.
 4. There may be opportunity to save additional trees working with the city forester.
 5. There would be enhanced flood control, water conservation, erosion control and soil conservation. The stormwater treatment areas will filter out sediment before draining into Mirror Lake, which would improve the quality of the lake.
 6. Trees along the lake would be maintained, so the views from across the lake would not be dramatically impacted; wildlife would still be able to access the area as a continuation from Fox Meadow Park to the north.

Section 3. APPROVAL

NOW THEREFORE, it is hereby resolved by the City Council of the City of Edina, grants permission to work within the easement area subject to the following conditions:

1. Submittal of a landscape and tree removal and replacement plan subject to review and approval of the city forester.
2. Trees to be removed in the easement area shall be replaced 1 for 1. Removal and replacement of trees, including size of replacement trees, shall be subject to review and approval by the city forester.
3. The proposed plans require review and approval of the Nine Mile Creek Watershed District.
4. Work in the easement must be consistent with the plans date stamped January 28, 2015 and presented to the City Council.
5. Compliance with all of the conditions outlined in the engineering memo dated January 28, 2015.

ATTEST: _____
Debra A. Mangan, City Clerk

James B. Hovland, Mayor

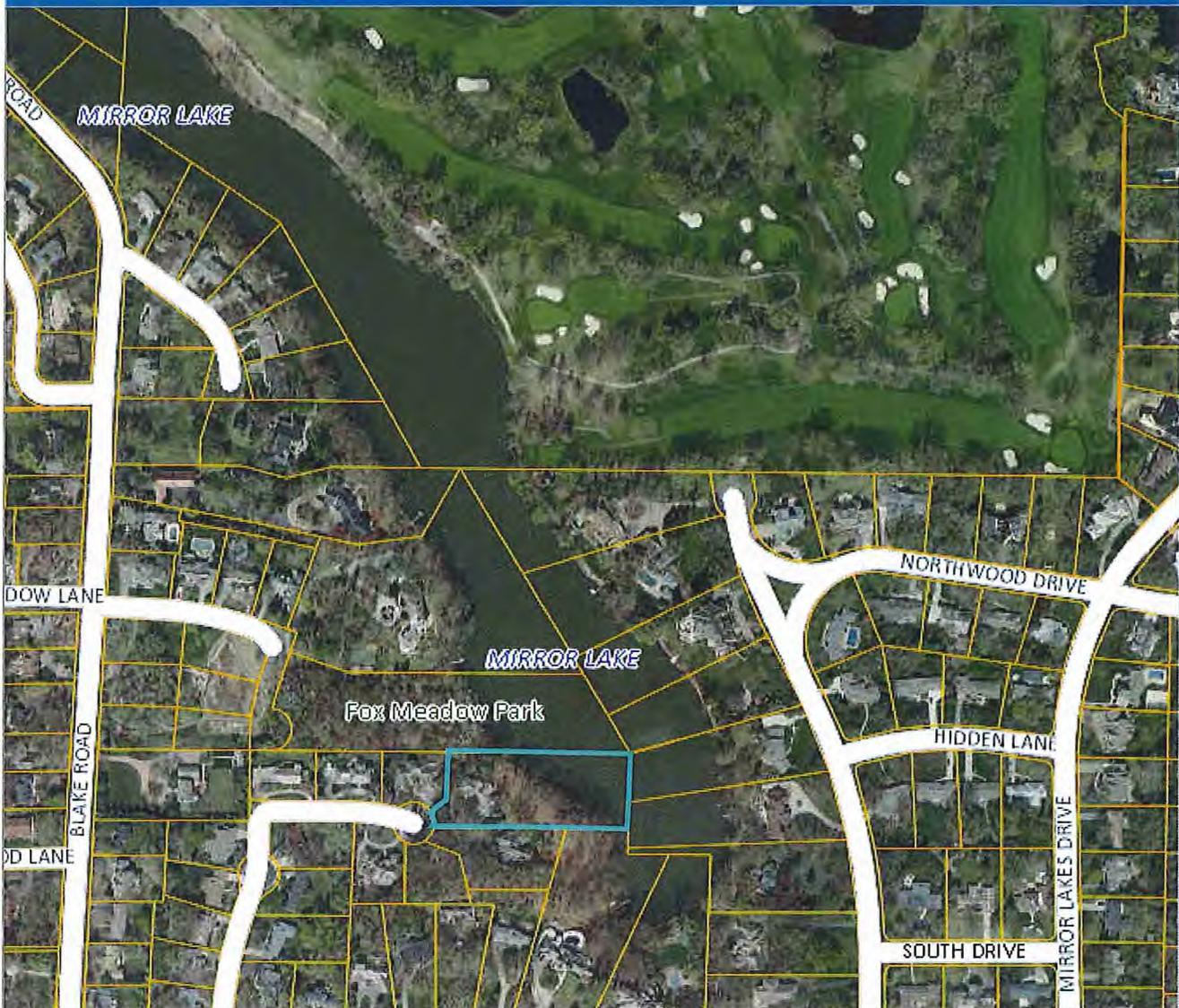
STATE OF MINNESOTA)
COUNTY OF HENNEPIN)SS
CITY OF EDINA)

CERTIFICATE OF CITY CLERK

I, the undersigned duly appointed and acting City Clerk for the City of Edina do hereby certify that the attached and foregoing Resolution was duly adopted by the Edina City Council at its Regular Meeting of February 3, 2015, and as recorded in the Minutes of said Regular Meeting.

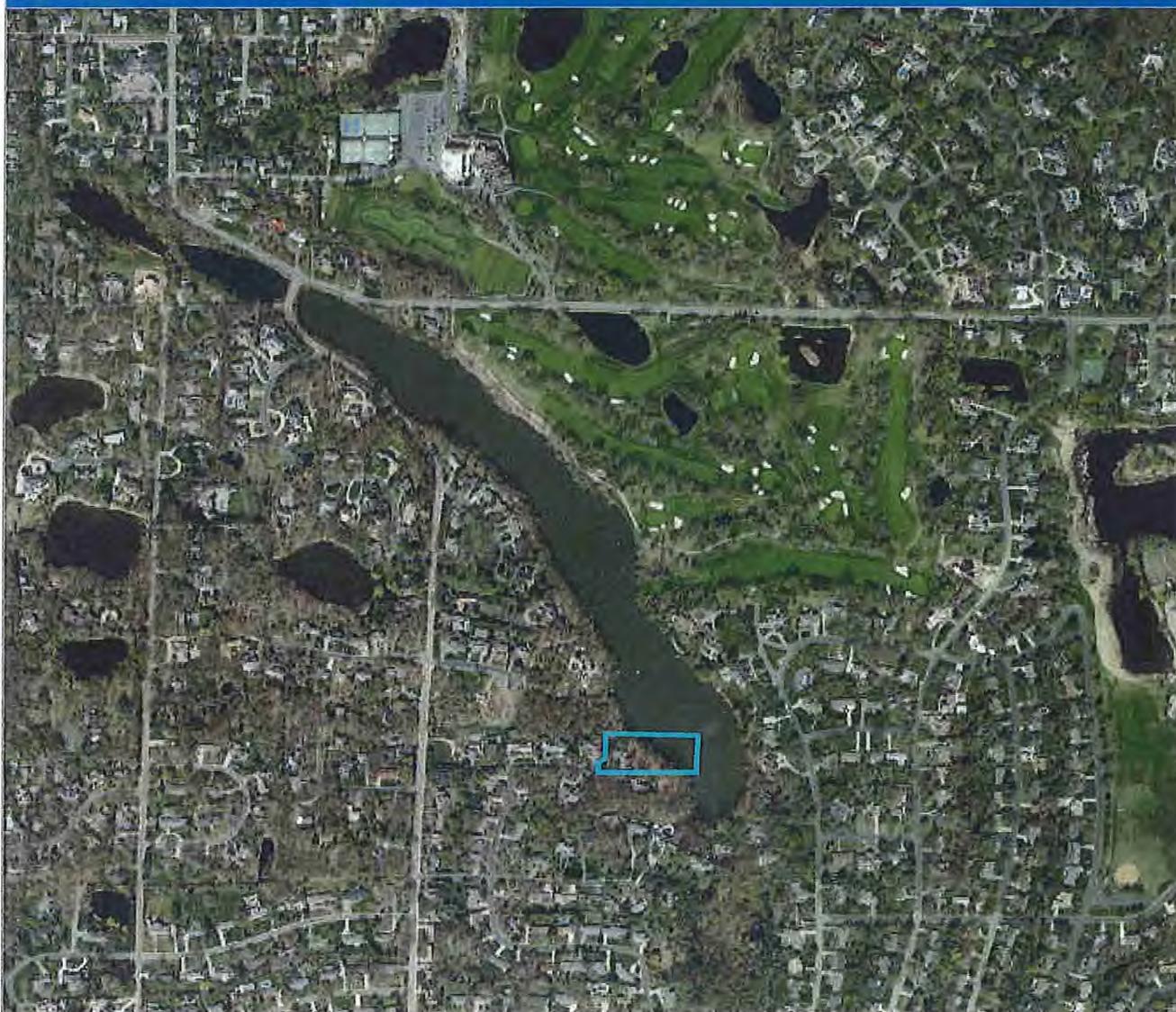
WITNESS my hand and seal of said City this ____ day of _____, 2015.

City Clerk



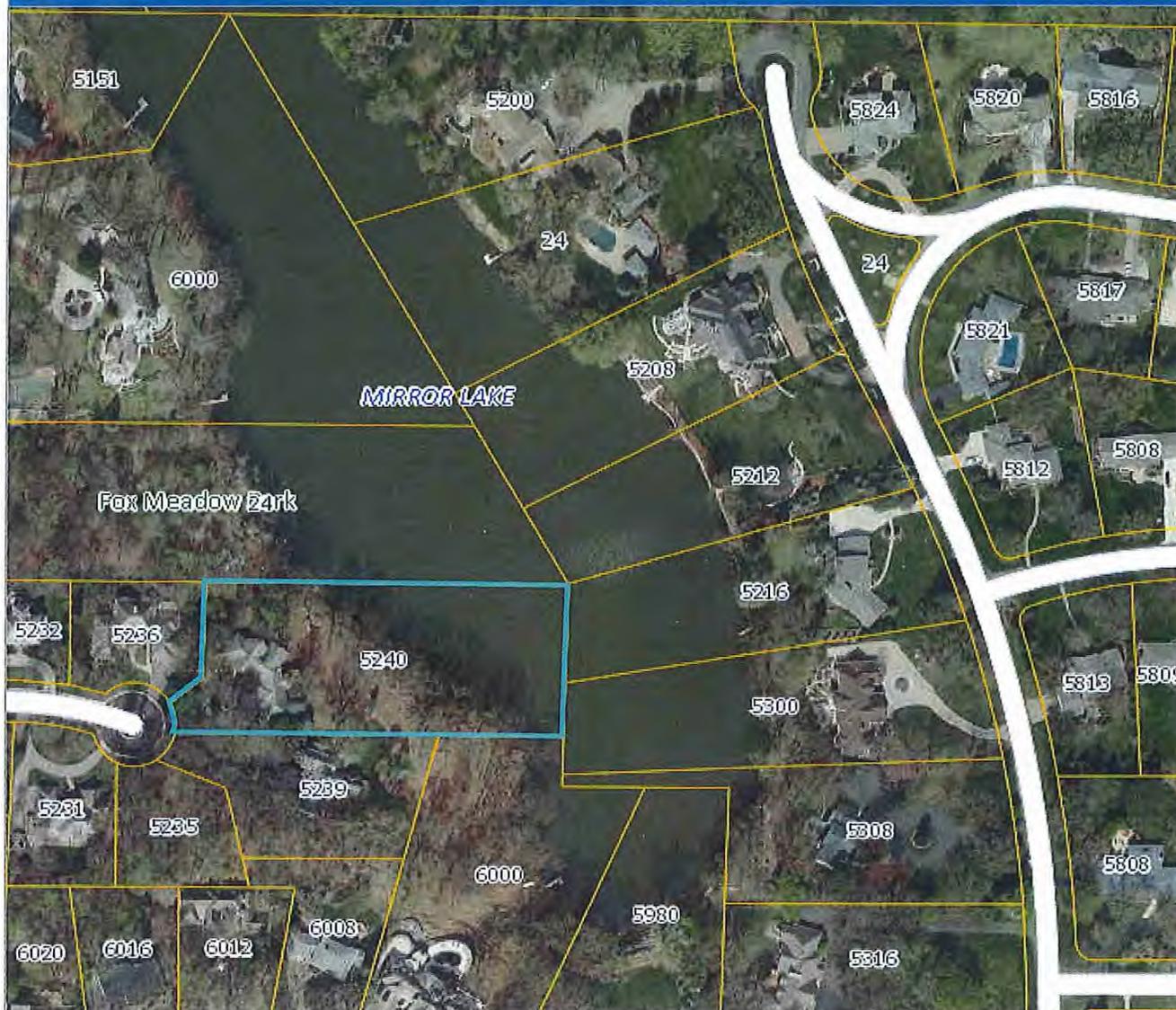
| | | | |
|--|----------------------|---|---|
| Parcel ID: 29-117-21-33-0046 | A-T-B: | Map Scale: 1" ≈ 400 ft. |  |
| Owner Name: Barbara L Schulz | Market Total: | Print Date: 1/28/2015 | |
| Parcel Address: 5240 Highwood Dr W Edina, MN 55436 | Tax Total: | <p>This map is a compilation of data from various sources and is furnished "AS IS" with no representation or warranty expressed or implied, including fitness of any particular purpose, merchantability, or the accuracy and completeness of the information shown.</p> <p>COPYRIGHT © HENNEPIN COUNTY 2015</p> <p></p> | |
| Property Type: Residential Lake Shore | Sale Price: | | |
| Home-stead: Homestead | Sale Date: | | |
| Parcel Area: 1.83 acres 79,837 sq ft | Sale Code: | | |

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|--|----------------------|--|
| Parcel ID: 29-117-21-33-0046 | A-T-B: | Map Scale: 1" ≈ 800 ft. Print Date: 1/28/2015 |
| Owner Name: Barbara L Schulz | Market Total: |  |
| Parcel Address: 5240 Highwood Dr W Edina, MN 55436 | Tax Total: | |
| Property Type: Residential Lake Shore | Sale Price: | <p>This map is a compilation of data from various sources and is furnished "AS IS" with no representation or warranty expressed or implied, including fitness of any particular purpose, merchantability, or the accuracy and completeness of the information shown.</p> <p>COPYRIGHT © HENNEPIN COUNTY 2015</p> <p> Think Green!</p> |
| Homestead: Homestead | Sale Date: | |
| Parcel Area: 1.83 acres 79,837 sq ft | Sale Code: | |

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Parcel ID: 29-117-21-33-0046

Owner Name: Barbara L Schulz

Parcel Address: 5240 Highwood Dr W
Edina, MN 55436

Property Type: Residential Lake Shore

Homestead: Homestead

Parcel Area: 1.83 acres
79,837 sq ft

A-T-B:

Market Total:

Tax Total:

Sale Price:

Sale Date:

Sale Code:

Map Scale: 1" ≈ 200 ft.
Print Date: 1/28/2015



This map is a compilation of data from various sources and is furnished "AS IS" with no representation or warranty expressed or implied, including fitness of any particular purpose, merchantability, or the accuracy and completeness of the information shown.

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|--|---|--|
| <p>Parcel ID: 29-117-21-33-0046</p> <p>Owner Name: Barbara L Schulz</p> <p>Parcel Address: 5240 Highwood Dr W Edina, MN 55436</p> <p>Property Type: Residential Lake Shore</p> <p>Homestead: Homestead</p> <p>Parcel Area: 1.83 acres 79,837 sq ft</p> | <p>A-T-B:</p> <p>Market Total:</p> <p>Tax Total:</p> <p>Sale Price:</p> <p>Sale Date:</p> <p>Sale Code:</p> | <p>Map Scale: 1" ≈ 100 ft.</p> <p>Print Date: 1/28/2015</p> <div data-bbox="1339 1449 1421 1543" data-label="Image"></div> <p>This map is a compilation of data from various sources and is furnished "AS IS" with no representation or warranty expressed or implied, including fitness of any particular purpose, merchantability, or the accuracy and completeness of the information shown.</p> <p>COPYRIGHT © HENNEPIN COUNTY 2015</p> <div data-bbox="1193 1911 1372 1942" data-label="Image"></div> |
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Applicant
Narrative

6233 Idylwood Lane
Edina, MN 55436
January 21, 2015

To the Edina City Planning Office,

The purpose of this letter is to request authorization of planned construction on the property 29-117-21-33-0046, located at 5240 Highwood Drive in Edina. The property features a Conservation Restriction, dated June 2, 1982 between the then owners of the property, A.T. and Ruth B. Leonard and the city of Edina, enclosed in this letter as Exhibit A.

A recent surveyor's plot is included herein as Exhibit B, showing the line demarcating the area covered by the Conservation Restriction as the tract of land between the line and the lakeshore. The stated "purpose of this Conservation Restriction is to assure that the Easement Area shall at all times: (i) remain in its present natural condition; (ii) constitute scenic surroundings; and (iii) constitute a suitable habitat for fish and wildlife." We maintain that the proposed improvements to the property are fully consistent with this intent.

There are eleven specific covenants contained in the agreement.

- Covenants 1 and 3 mandate that "no buildings, roads, signs,...utilities or other structures shall be erected on" and "no trash, waste or offensive materials shall be dumped or placed on the Easement Area". Our plans are consistent with the exception of small areas on which the home to be built encroaches at the border (primarily the deck and patio overlooking the lake), retaining walls, and a path/stairway leading to the lakeshore (See Exhibit B).
- Covenants 7 and 8 require that the Easement Area is to be maintained "in its natural open or wooded condition" and "in full compliance with all applicable ordinances of Edina". We believe that our plans meet these conditions (See below).
- Covenant 6 indicates that no activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, fish and wildlife habitat preservation...shall be conducted or permitted". Our plans will ENHANCE flood control, water conservation, erosion control and soil conservation. Exhibit C (containing the Erosion Control Plan - designated Sheet number C1 in the lower right corner, Grading Plan - C2, and Stormwater Management Plan - C3 rendered by EVS) illustrates on the Stormwater Management Plan C3 the French drains that collect runoff from around the house and feed that water into four underground treatment areas. In the event of extreme rainfall that overwhelms the capacity of the treatment areas, each of the four is equipped with a 10" underground PVC pipe that would allow the excess to flow into the lake without transporting soil. The effect of the entire system is to retard drainage and erosion from the higher ground into the lake along the rather steep slope, resulting both in

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improved soil conservation and reduced burden on the lake and its fish and wildlife. Moreover, unrestricted access will be maintained for wildlife passing from the parkland to the north, across the property and through the wooded area along the lakeshore.

- Covenants 2, 4, and 5 stipulate that Edina must approve movement of soil or other material and removal of vegetation in the Conservation Area. Our plans involve some moderate leveling of property behind retaining walls, the replacement of weeds, shrubs and vegetation with more manicured landscaping, and the removal of selected trees in and around the Easement Area. The retaining walls have a height of four feet or less and may be covered by foliage in parts, so that view of the property from the lake will not be dominated by high stone walls. The Soil Conservation Plan C2 within Exhibit C specifically shows the trees to be removed (designated with an "X"). All but one of the trees to be removed are set further back from the lakefront and will necessarily be removed due to the leveling of the property behind the setback. We intend to preserve all but one of the living trees along the shoreline and to the front of the retaining walls and leveled property.
- The resulting property would be very much in keeping with the spirit of the Conservation Restriction and the scenic surroundings. Although certain trees will be removed and vegetation will be replaced, the plan fulfills the intent of the Restriction by assuring preservation of the "present natural condition...and suitable habitat for fish and wildlife". It is important to note that the trees and vegetation that now exist on the property are, in several cases, not the original growth that was specified when the Restriction was drafted 33 years ago, as some of the original trees have already died and fallen according to Mrs. Barbara Schulz, current inhabitant and owner of the property. Mrs. Schulz is the daughter of the Leonards, who established the original conservation restriction.

We share the commitment of Mr. and Mrs. Leonard to maintain this property as a natural haven for wildlife and a scenic complement to the lakefront and its community as it currently exists. Our plans benefit the environment by reducing the environmental impact of flooding and erosion. Mrs. Schulz endorses our plan with regard to its constancy with her parent's wishes. We also believe that our construction plans are in keeping with the aesthetics and high quality of the properties along the south lakefront (Exhibit D). We kindly ask that you consider and approve our submission.

Sincerely,

Missy and Leonard Blum

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1470917

CONSERVATION RESTRICTION

(Natural Condition)

THIS INDENTURE, Made this 2ND day of June, 198~~0~~², between A.T. LEONARD, AND RUTH B. LEONARD (hereinafter called "Owner," whether one or more), and the CITY OF EDINA, a municipal corporation under the laws of the State of Minnesota (hereinafter called "Edina").

WITNESSETH:

That Owner, in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby Grant, Bargain, Sell and Convey unto Edina, its successors and assigns, Forever, a Conservation Restriction pursuant to Minnesota Statutes § 84.64, for the purposes and on the terms hereinafter specified, over, on and across the tract or parcel of land lying and being in the County of Hennepin and the State of Minnesota, described in Exhibit A attached hereto and made a part hereof (hereinafter called "Easement Area").

TO HAVE AND TO HOLD THE SAME, Together with all the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, to Edina, its successors and assigns, Forever. And Owner, for Owner and Owner's heirs, representatives, successors and assigns, covenants with Edina, its successors and assigns, that it is well seized

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in fee of the Easement Area, and has good right to convey the interests therein pursuant hereto, and that the Easement Area is free from all encumbrances, except real estate taxes and installments of special assessments payable therewith which are not yet due. And the Easement Area, in the quiet and peaceable possession of Edina, its successors and assigns, for the purposes hereby granted against all persons lawfully claiming or to claim the whole or any part thereof, subject to the encumbrances hereinbefore mentioned, Owner will warrant and defend.

The purpose of this Conservation Restriction is to assure that the Easement Area shall at all times: (i) remain in its present natural condition; (ii) constitute scenic surroundings; and (iii) constitute a suitable habitat for fish and wildlife. To accomplish this purpose, Owner, for Owner and Owner's heirs, representatives, successors and assigns, does hereby covenant and agree that:

1. No buildings, roads, signs, billboards or other advertising of any kind, and no utilities or other structures of any kind shall be hereafter erected or placed on or above any part of the Easement Area without the express prior written approval of Edina.

2. No soil or other substance or material shall be dumped or placed as landfill on the Easement Area without the express prior written approval of Edina.

3. No trash, waste or unsightly or offensive materials shall be dumped or placed on the Easement Area.

4. No trees, shrubs or other vegetation shall be removed from the Easement Area without the express prior written approval of Edina.

5. No loam, peat, gravel, soil, rock or other material substance shall be excavated, dredged or removed from the Easement Area without the express prior written approval of Edina.

6. No activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, fish and wildlife habitat preservation or other acts or uses detrimental to the Easement Area as a natural and scenic open or wooded space or as a fish and wildlife habitat, shall be conducted or permitted to be conducted on the Easement Area.

7. No surface use shall be made of the Easement Area except for purposes consistent with the maintenance of the Easement Area in its natural open or wooded condition without the express prior written approval of Edina.

8. The Easement Area shall be maintained at all times by Owner, Owner's heirs, representatives, successors and assigns, in full compliance with all applicable

ordinances of Edina now or hereinafter enacted and in full compliance with the provisions of this Conservation Restriction.

9. This Conservation Restriction shall not operate to grant to Edina the right to use or improve, or to permit the public to use or improve, the Easement Area as or for a park.

10. The rights and remedies given by Minnesota Statutes § 84.65 shall be available to Edina. Also, if there shall be a violation or breach, or an attempt to violate or breach, any of the terms, covenants or conditions of this Conservation Restriction, Edina may prosecute any proceedings at law or in equity against the person; firm or corporation violating or breaching, or attempting to violate or breach, any such term, covenant or condition, to either prevent such violation or breach or to recover damages for such violation or breach. Also, Edina, in the event of such violation or breach, without notice, may, at its option, undertake to perform the term, covenant or condition so violated or breached, and the cost incurred, including attorneys' fees, with interest at the highest rate then allowed by law, or, if no maximum rate is applicable, then at the rate of twelve percent (12%) per annum, shall be payable by Owner, Owner's heirs, representatives, successors and assigns, on demand made by

Edina, its successors and assigns, and Owner, Owner's heirs, representatives, successors and assigns shall also pay all costs of collection thereof, including attorneys' fees, with interest thereon as above provided, if payment is not made on demand, whether or not suit be brought. In addition to other remedies then available for collection of such costs and interest, Edina may charge such costs and interest against the Easement Area and any other property then included in the same tax parcel as the Easement Area, in the same manner as special assessments (without, however, any notice or hearing of any kind) and collect the same with the real estate taxes against the whole of such tax parcel which are payable in the year following the year such costs and interest are so charged. If such charges are not paid, the whole of such tax parcel may be sold and conveyed in the same manner as lands forfeited for nonpayment of real estate taxes are sold and conveyed.

11. The terms, covenants and conditions hereof shall run with the land and shall be binding on all present and future owners and occupiers of the Easement Area, and shall only inure to the benefit of Edina, its successors and assigns, and may be amended or modified at any time and from time to time by the sole act of Edina and the then owner of the Easement Area, and may be released at any time by the sole act of Edina.

EXHIBIT A

That part of Lots 6 and 7, ^{Block 1,} _^ Emerald Woods Addition described as follows:

PT LOTS 6 & 7

Beginning at the Southeast corner of said Lot 7; thence westerly along the South line of said Lot 7 on a bearing of S 87° 17' 32" W a distance of 120 feet; thence northwesterly on a bearing of N 06° 35' 57" W a distance of 145.74 feet; thence northwesterly on a bearing of N 59° 06' 48" W a distance of 255.19 feet; thence northwesterly on a bearing of N 46° 01' 16" W a distance of 104.06 feet to a point on the North line of said Lot 6, which point is 11.14 feet east of the Northwest corner of said Lot 6; thence easterly to the Northeast corner of said Lot 6; thence southerly to the Southeast corner of said Lot 7, which is the point of beginning.

TRANSFER ENTERED
DEPARTMENT OF PROPERTY TAXATION

JUN 18 1997

HENNEPIN COUNTY MINN.

BY [Signature] DEPUTY

1470917

REGISTERED VOL. _____ PAGE 623342 ✓

OFFICE OF THE REGISTRAR ³³
OF TITLES
HENNEPIN COUNTY, MINNESOTA
CERTIFIED FILED ON

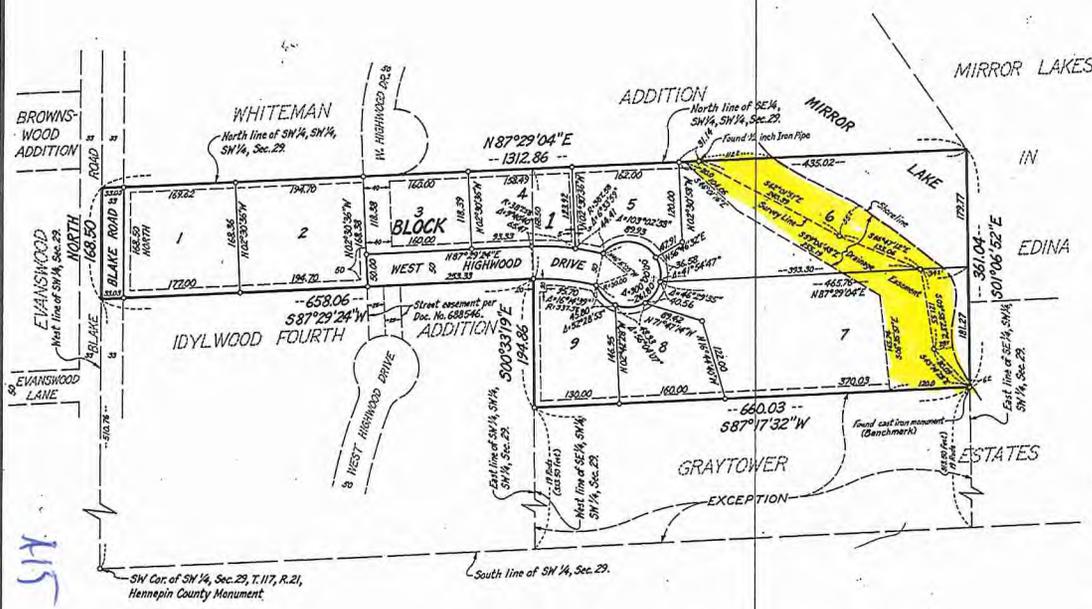
JUN 18 1982

BY *[Signature]* ^{10AM}
REGISTRAR
OF TITLES
DEPUTY

A14

EMERALD WOODS ADDITION

R.T. DOC. NO. _____



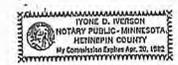
KNOW ALL PERSONS BY THESE PRESENTS: that Alvin T. Leonard and Ruth B. Leonard, husband and wife, owners of the following described land situated in the County of Hennepin and State of Minnesota, to wit:

All of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of Southwest Quarter (SW 1/4), except the South Minnesota (19) rods thereof front and rear in Section Twenty-nine (29), Township One Hundred Seventeen (117), Range Twenty-one (21); also the North One Hundred Sixty-eight and one-half (168 1/2) feet front and rear of the Southwest Quarter (SW 1/4) of Southwest Quarter (SW 1/4) of Section Twenty-nine (29), Township One Hundred Seventeen (117), Range Twenty-one.

Have caused the same to be surveyed and platted as EMERALD WOODS ADDITION, and do hereby donate and dedicate to the public for public use forever the road, drive, the drainage and utility easements, and the drainage easement as shown on the plat.

In witness whereof, said Alvin T. Leonard and Ruth B. Leonard, husband and wife, have hereunto set their hands and affixed their seals this 23rd day of DECEMBER 1981.

SIGNED: ALVIN T. LEONARD and RUTH B. LEONARD
Husband and Wife
Alvin T. Leonard
Alvin T. Leonard
Ruth B. Leonard
Ruth B. Leonard



STATE OF MINNESOTA The foregoing instrument was acknowledged before me this 23rd day of DECEMBER, 1981, by Alvin T. Leonard and Ruth B. Leonard, husband and wife.

COUNTY OF HENNEPIN *James E. Boerhave* Notary Public HENNEPIN County, Minnesota
My Commission Expires APRIL 20, 1982

I, James E. Boerhave, hereby certify that I have surveyed and platted the property described on this plat as EMERALD WOODS ADDITION, that this plat is a correct representation of said survey; that all distances are correctly shown on the plat in feet and hundredths of a foot; that all monuments are correctly placed in the ground as shown on the plat; and that the outside boundary lines are correctly designated on the plat.

James E. Boerhave
James E. Boerhave, Land Surveyor
Minnesota License No. 7095

STATE OF MINNESOTA The foregoing instrument was acknowledged before me this 23rd day of NOVEMBER, 1981, by James E. Boerhave, Land Surveyor, Minnesota License No. 7095.

COUNTY OF HENNEPIN *James E. Boerhave* Notary Public HENNEPIN County, Minnesota
My Commission Expires APRIL 20, 1982

EDINA, MINNESOTA This plat of EMERALD WOODS ADDITION, was approved and accepted by the City Council of the City of Edina, Minnesota, at a regular meeting thereof held this 5th day of OCTOBER, 1981. If applicable, the written comments and recommendations of the Commissioner of Transportation and the County Highway Engineer have been received by the City or the prescribed 30 day period has elapsed without receipt of such comments and recommendations, as provided by Minn. Statutes, Section 505.03, Subd. 2.

SIGNED: *C. Wayne Courtney* CITY COUNCIL OF EDINA, MINNESOTA Mayor
SIGNED: *Kenneth E. Rosland* Manager

PROPERTY TAXATION DEPARTMENT, Hennepin County, Minnesota
I hereby certify that there are no delinquent taxes for all years prior to _____ for land described on this plat. Dated this _____ day of _____, 19____.

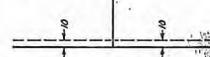
Vernon T. Hoppe, Director By _____, Tax Clerk
SURVEY DIVISION, Hennepin County, Minnesota
Pursuant to Chapter 810, Minnesota Laws 1969, this plat has been approved this _____ day of _____, 19____.

Robert L. Bakka, Hennepin County Surveyor By _____
REGISTRAR OF TITLES, Hennepin County, Minnesota
I hereby certify that the within plat of EMERALD WOODS ADDITION was filed in this office this _____ day of _____, 19____ at _____ o'clock _____ M.
R. Dan Carlson, Registrar of Titles By _____, Deputy

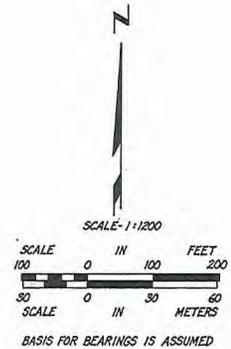
Benchmark: Cast iron monument at the southeast corner of Lot 7, Block 1, Emerald Woods Addition.
Elevation = 905.00 feet (M.G.V.I. = 1929).
Water Elevation = 903.3 feet on October 26, 1981.
Highest known water elevation is approximately 907.0 feet, per high water mark from the City of Edina.

○ DENOTES IRON MONUMENT AS DESCRIBED BELOW, UNLESS OTHERWISE INDICATED.
NOTE:

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



being 10.00 feet in width, unless otherwise indicated, and adjoining lot lines as shown on the plat.

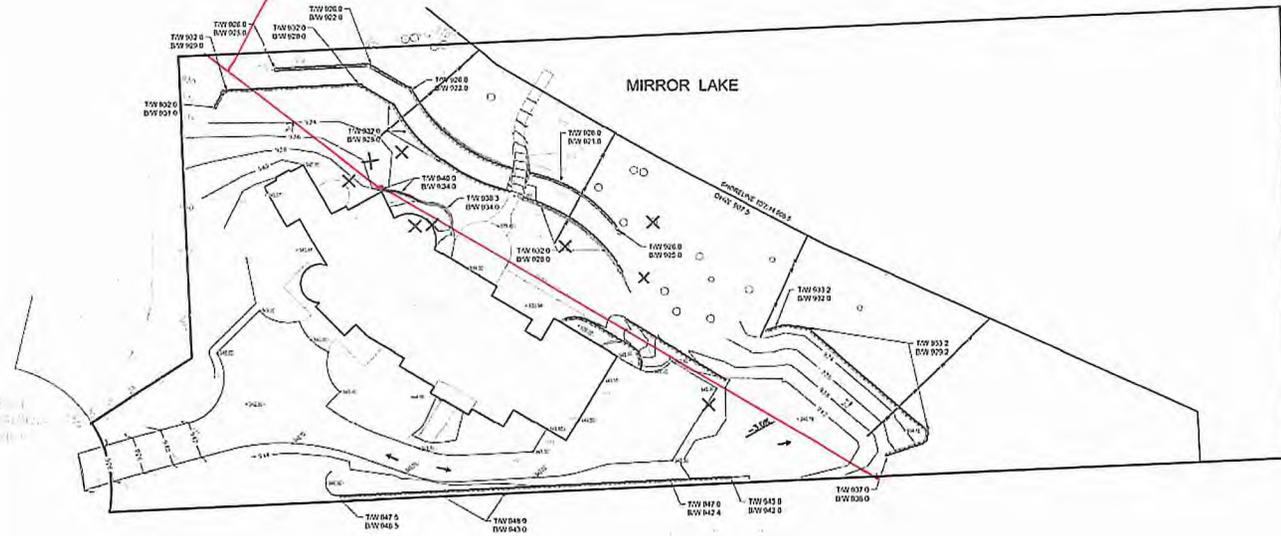


24" LONG IRON MONUMENT AND IDENTIFICATION DISC (ACTUAL SIZE) SET AT ALL POINTS INDICATED. MARK REG. LAND SURVEYOR #7095



AL6

Conservation Easement



GRADING NOTES

1. PROPOSED CONTOURS ARE TO FINISHED SURFACE ELEVATION. SPOT ELEVATIONS ALONG PROPOSED CURB DENOTE FLOWLINE GRADE.
2. THE CONTRACTOR SHALL TAKE ALL PRECAUTIONS NECESSARY TO AVOID PROPERTY DAMAGE TO ADJACENT PROPERTIES DURING THE CONSTRUCTION PHASES OF THIS PROJECT. THE CONTRACTOR WILL BE HELD SOLELY RESPONSIBLE FOR ANY DAMAGES TO THE ADJACENT PROPERTIES OCCURRING DURING THE CONSTRUCTION PHASES OF THIS PROJECT.
3. THE CONTRACTOR SHALL COMPLETE THE SITE GRADING CONSTRUCTION IN ACCORDANCE WITH THE REQUIREMENTS OF THE GEOTECHNICAL ENGINEER. ALL SOIL TESTING SHALL BE COMPLETED BY THE OWNER'S SOILS ENGINEER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING ALL ACQUISITION, TESTS AND INSPECTIONS WITH THE SOILS ENGINEER.
4. THE TREES AND OTHER NATURAL VEGETATION WITHIN THE PROJECT AND/OR ADJACENT TO THE PROJECT ARE OF PRIME CONCERN TO THE CONTRACTOR'S OPERATIONS AND SHALL BE A RESTRICTED AREA. THE VALUE REQUIRED TO PROTECT THE TREES WHICH ARE TO BE SAVED TO BE SURE THAT THE EQUIPMENT IS NOT ALLOWED TO OPERATE UNDER NEARBY TREES AND SHALL EXERCISE EXTREME CAUTION IN WORKING ADJACENT TO TREES. SHOULD ANY PORTION OF THE TREE BRANCHES REQUIRE REMOVAL TO PERMIT OPERATION OF THE CONTRACTOR'S EQUIPMENT, HE SHALL OBTAIN THE SERVICES OF A PROFESSIONAL TREE TRIMMING SERVICE TO TRIM THE TREES PRIOR TO THE BEGINNING OF OPERATION. SHOULD THE CONTRACTOR'S OPERATIONS RESULT IN THE REMOVAL OF ANY TREES, THE BRANCHES SHOULD BE REMOVED IMMEDIATELY AND CUTS SHALL BE PROPERLY PROTECTED TO MINIMIZE ANY LASTING DAMAGE TO THE TREE. NO TREES SHALL BE REMOVED WITHOUT AUTHORIZATION BY THE OWNER. ACCESS FOR TRIMMING SERVICES SHALL BE CONSIDERED INCIDENTAL TO THE CONSTRUCTION AND NO SPECIAL PAYMENT WILL BE MADE.
5. ALL EXISTING WELLS, TANKS AND COVER SHALL BE STRUCTURALLY DESIGNED.

GENERAL NOTES

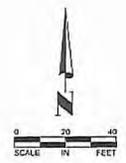
TOPOGRAPHIC SURVEY PROVIDED BY FRANK R. CARDANELLO, DATED 10/30/2011 WITH EASEMENT REVISION DATED 12/22/2014

LEGEND

- EXISTING CONTOUR
- PROPOSED CONTOUR
- PROPOSED SPOT ELEVATION
- EXISTING TREES TO BE REMOVED (BY TREE)
- DRAINAGE DIRECTION (PROPOSED CONDITIONS)



Know what's Below. Call before you dig.



EVS
 ENGINEERING
 SURVEYING
 ENVIRONMENTAL
 PLANNING
 EVS, INC.
 10223 Valley View Road, Suite 140
 Eden Prairie, Minnesota 55344
 Phone 952-446-0238
 Fax 952-446-0299
 www.evs-eng.com

Preliminary Documents

CLIENT
Charles Cudd Do Novo
 PROJECT
5240 Highwood Dr. West
 LOCATION
Edina, MN
 SHEET
Grading Plan

| # | DATE | REVISION |
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I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

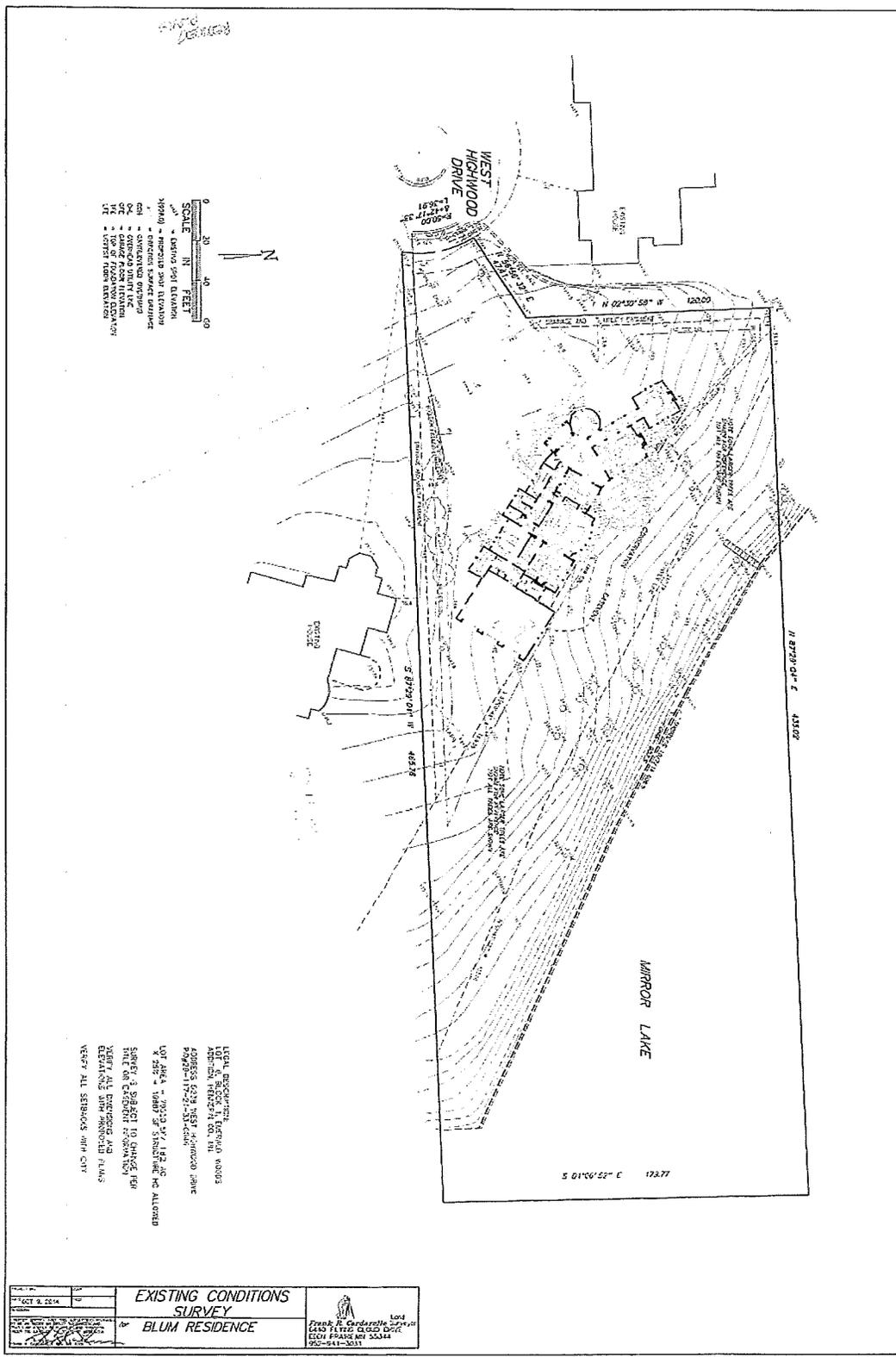
David Nash
 DWT: 01/01/2010
 REGISTRATION NUMBER 21028

DRAWN BY
DMS
 CHECKED BY
DJN
 DATE
01.19.2014
 PROJECT #
2014-088.1

SHEET NUMBER

C2

LIX



0 20 40 60
SCALE IN FEET

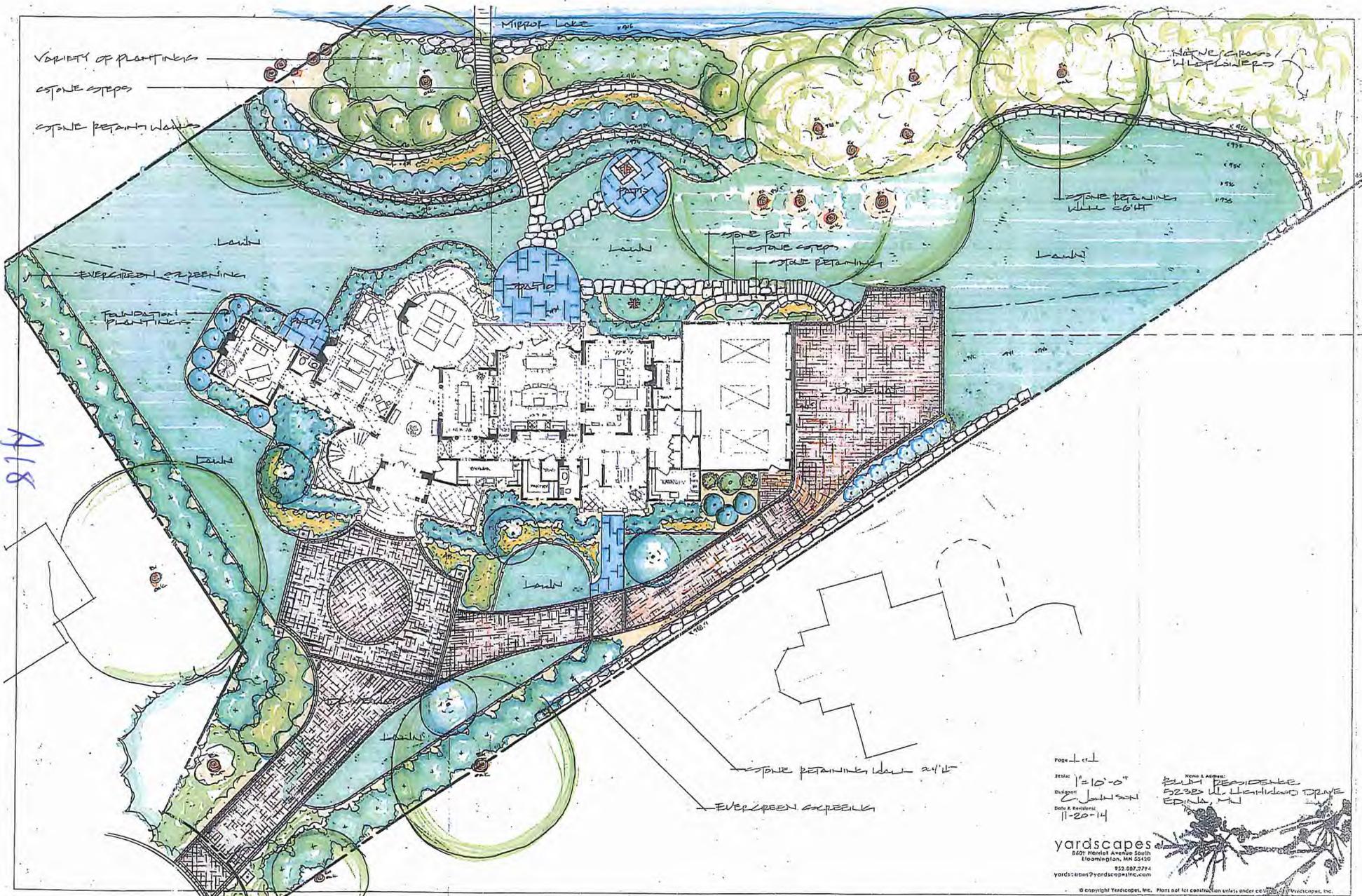
M - MERCURY POLE ELEVATION
 C - CONCRETE CURB
 W - WALKWAY
 S - SURFACE
 T - TERRAIN
 L - LOT
 B - BOUNDARY
 E - ELEVATION
 D - DRIVE
 P - POLE
 S - SURFACE
 T - TERRAIN
 L - LOT
 B - BOUNDARY
 E - ELEVATION
 D - DRIVE
 P - POLE

UTM PROJECTION
 LOT - 18, TOWNSHIP - 12N, RANGE - 10W
 ADDRESS 6234 WEST HIGHLAND DRIVE
 APPLICABLE TO THIS SURVEY
 UTM AREA - 79312.57, 182.00
 SURVEY IS SUBJECT TO CHANGE PER
 RITE ON GEODETIC RECONSTRUCTION
 VERTICAL ALL ELEVATIONS AND
 DIMENSIONS SHOWN HEREON ARE
 MEASUREMENTS FROM THE CITY

| | | |
|--|--|--|
| EXISTING CONDITIONS SURVEY for BLUM RESIDENCE | | |
| DATE: 10/20/24 DRAWN BY: [Name] | SURVEYOR: Frank R. Cardarone LICENSE NO. 12345 STATE OF ILLINOIS | |

X 025

010011



A18

VARIETY OF PLANTINGS
 STONE STEPS
 STONE RETAINING WALL

NATIVE GRASSES
 WILDFLOWERS

STONE RETAINING
 WALL 6' HT

STONE PATH
 STONE STEPS
 STONE RETAINING

STONE RETAINING WALL 2' HT

EVERGREEN SCREENING

Page 1 of 1

Scale: 1/8" = 1'-0"
 Designer: J. Johnson
 Date & Revision: 11-20-14

Name & Address:
 ELU REIDENCE
 5335 W. LINDENWOOD DRIVE
 EDINA, MI

yardscapes
 8601 Henriot Avenue South
 Bloomington, MN 55108
 651.882.2794
 yardscapes@yardscapesinc.com



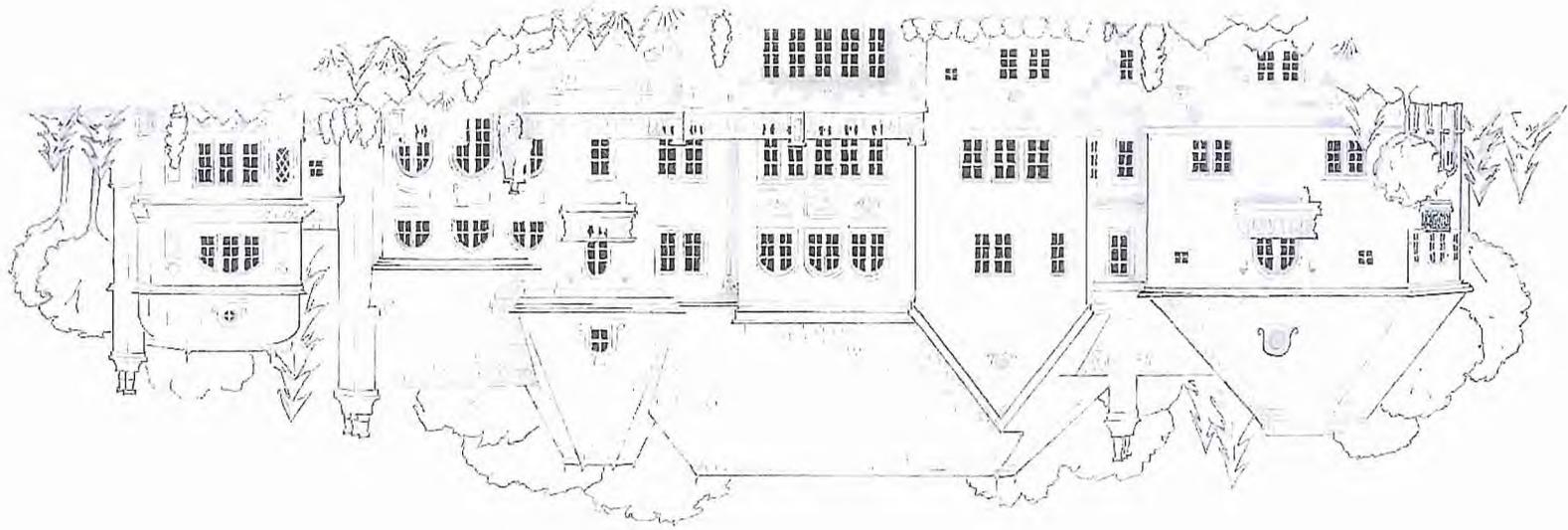
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A19

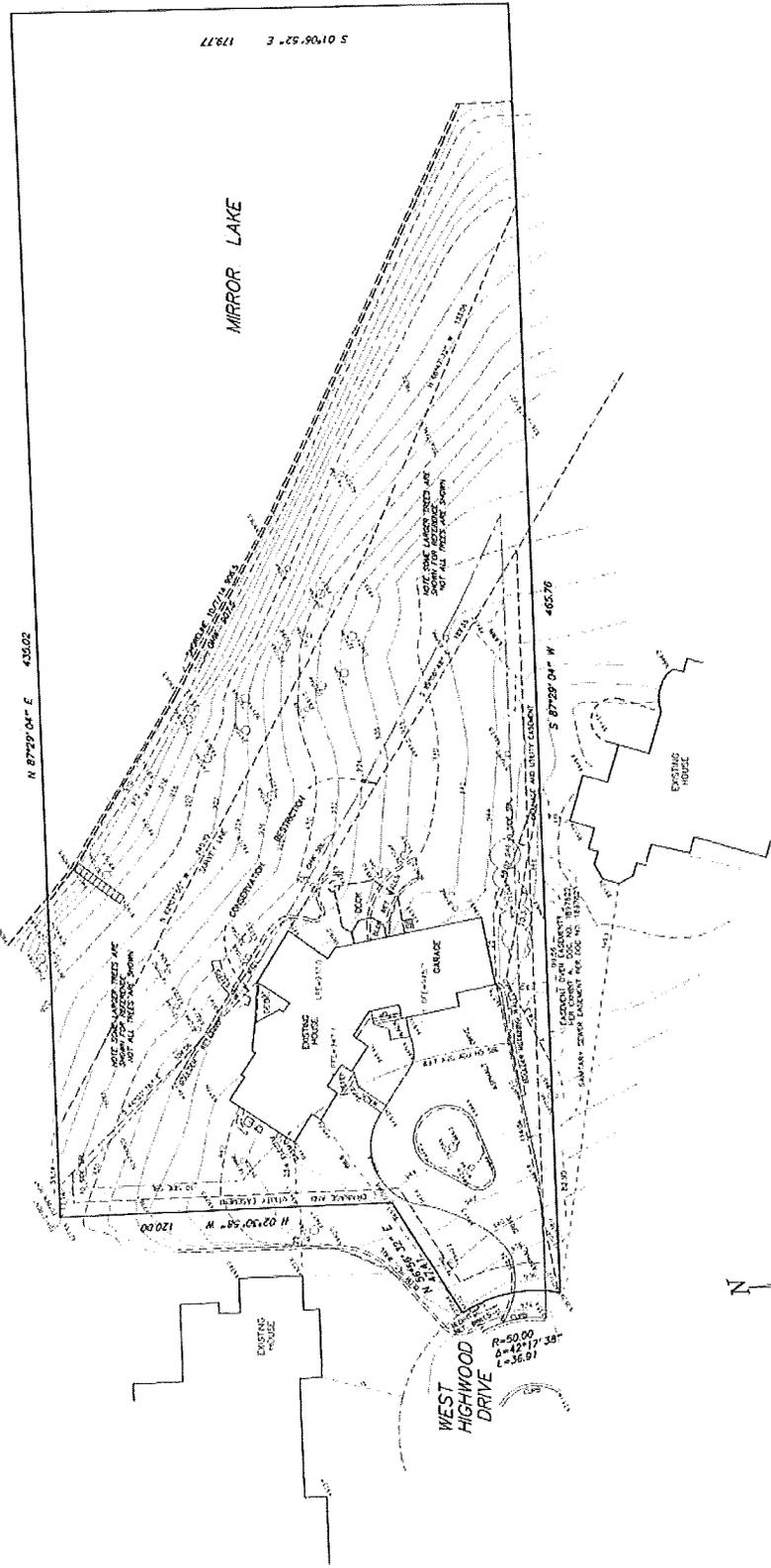


A20



A21

| | | |
|--|--|---|
| 952-841-3031 EREN PAPERBA 50314 FRANK & CORP/EREN SURVEY 8410 BIRCH CREEK DRIVE LIND | | 12/24/2016 OCT 11 2016 12/24/2016 |
| EXISTING CONDITIONS SURVEY FOR BLUM RESIDENCE | | 12/24/2016 OCT 11 2016 12/24/2016 |



LEGAL DESCRIPTION:
 LOT 6, BLOCK 1, EMERALD WOODS
 ADDITION, KENNEDY CO, MO.
 ADDRESS 2318 WEST HIGHWOOD DRIVE
 PD#20-117-21-31-0046

LOT AREA = 26500.07 ± SQ. AC
 ± 25% ± 16887 ± STROUPE INC ALLOWED

SURVEY IS SUBJECT TO CHANGE PER
 TITLE OR EASEMENT INFORMATION
 VERIFY ALL DIMENSIONS AND
 ELEVATIONS WITH PROPOSED PLANS
 VERIFY ALL SETBACKS WITH CITY

SCALE IN FEET
 0 20 40 60

X(898) = EXISTING SPOT ELEVATION
 P(898) = PROPOSED SPOT ELEVATION
 C(898) = EXISTING CURB ELEVATION
 C(898) = PROPOSED CURB ELEVATION
 OK = OVERHEAD UTILITY LINE
 CPE = CURB ELEVATION
 FTE = TOP OF FOUNDATION ELEVATION
 FLE = FINISH FLOOR ELEVATION

Handwritten mark: 222

GENERAL NOTES

1. TYPE C INLET PROTECTION INCLUDES:
 • BEAVER DAM - DANDY PRODUCTS - GROVE CITY, OH
 • TOP SLAB INLET PROTECTION - WIMCO, SHAKOPEE, MN
 • ROAD DRAIN CURB AND GUTTER - WIMCO - SHAKOPEE, MN
 • STRAW BATTLES
 • SILT SCREEN - ALPINE STORMWATER MGT. - GROVE CITY, OH
 • ROLL CURB / CURB BOX - LANGE INDUSTRIES - OSWEGO, FL
 • ESSIE BROTHERS INLET BASKETS

SEQUENCE OF CONSTRUCTION

- OWNER SHALL OBTAIN APPROVAL FROM ADJACENT PROPERTY OWNERS PRIOR TO ANY ENCROACHMENT.
- INSTALL STABILIZED ROCK CONSTRUCTION ENTRANCE.
- CONSTRUCT SILT FENCES ON SITE.
- INSTALL STORM INLET PROTECTION.
- CLEAR AND GRUB THE SITE.
- BEGIN GRADING THE SITE.
- CONSTRUCT PERIMETER RETAINING WALLS.
- INSTALL SILT FENCE ABOVE PERIMETER RETAINING WALLS.
- START CONSTRUCTION OF THE BUILDING PAD AND STRUCTURES.
- INSTALL UTILITIES, UNDERDRAINS, STORM SEWERS, CURBS AND GUTTERS.
- COMPLETE GRADING AND INSTALL PERMANENT SEEDING AND GRASSING.
- REMOVE ALL TEMPORARY EROSION AND SEDIMENT CONTROL DEVICES (ONLY IF STABILIZED), IF REQUIRED BY CONTRACT.

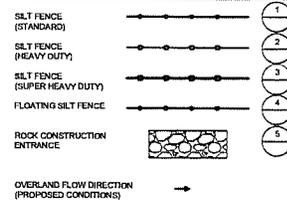
MAINTENANCE

- ALL SILT FENCE MUST BE REPAIRED, REPLACED OR SUPPLEMENTED WHEN THEY BECOME NONFUNCTIONAL OR WHEN THE SEDIMENT REACHES 1/4 OF THE HEIGHT OF THE FENCE. THESE REPAIRS MUST BE MADE WITHIN 24 HOURS OF DISCOVERY, OR AS SOON AS FIELD CONDITIONS ALLOW ACCESS.
- CONSTRUCTION SITE VEHICLE EXIT LOCATIONS MUST BE INSPECTED FOR EVIDENCE OF OFF-SITE SEDIMENT TRACKING ON TO PAVED SURFACES. TRACKED SEDIMENT MUST BE REMOVED FROM ALL OFF-SITE PAVED SURFACES, WITHIN 24 HOURS OF DISCOVERY, OR IF APPLICABLE, WITHIN A SHORTER TIME TO COMPLY WITH PART IV, C.3 OF THE GENERAL PERMIT.
- ALL STORM INLET PROTECTION MUST BE REPAIRED, REPLACED OR SUPPLEMENTED WHEN THEY BECOME NONFUNCTIONAL OR WHEN THEY BECOME 1/4 FULL. THESE REPAIRS MUST BE MADE WITHIN 24 HOURS OF DISCOVERY, OR AS SOON AS FIELD CONDITIONS ALLOW ACCESS.

STORMWATER, SEDIMENT, AND EROSION CONTROL CONTACT

CHARLES CUDDO DE NOVO
 JOHN SONNEX
 1505 23RD AVE. N.
 PLYMOUTH MN 55447
 612-806-3530

LEGEND



EVS
 ENGINEERING
 SURVEYING
 ENVIRONMENTAL
 PLANNING

EVS, INC.
 10925 Valley View Road, Suite 149
 Eden Prairie, Minnesota 55244
 Phone: 952-446-0239
 Fax: 952-446-0238
 www.evs-eng.com

Preliminary Documents

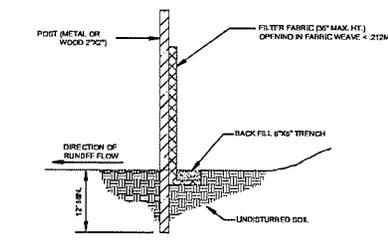
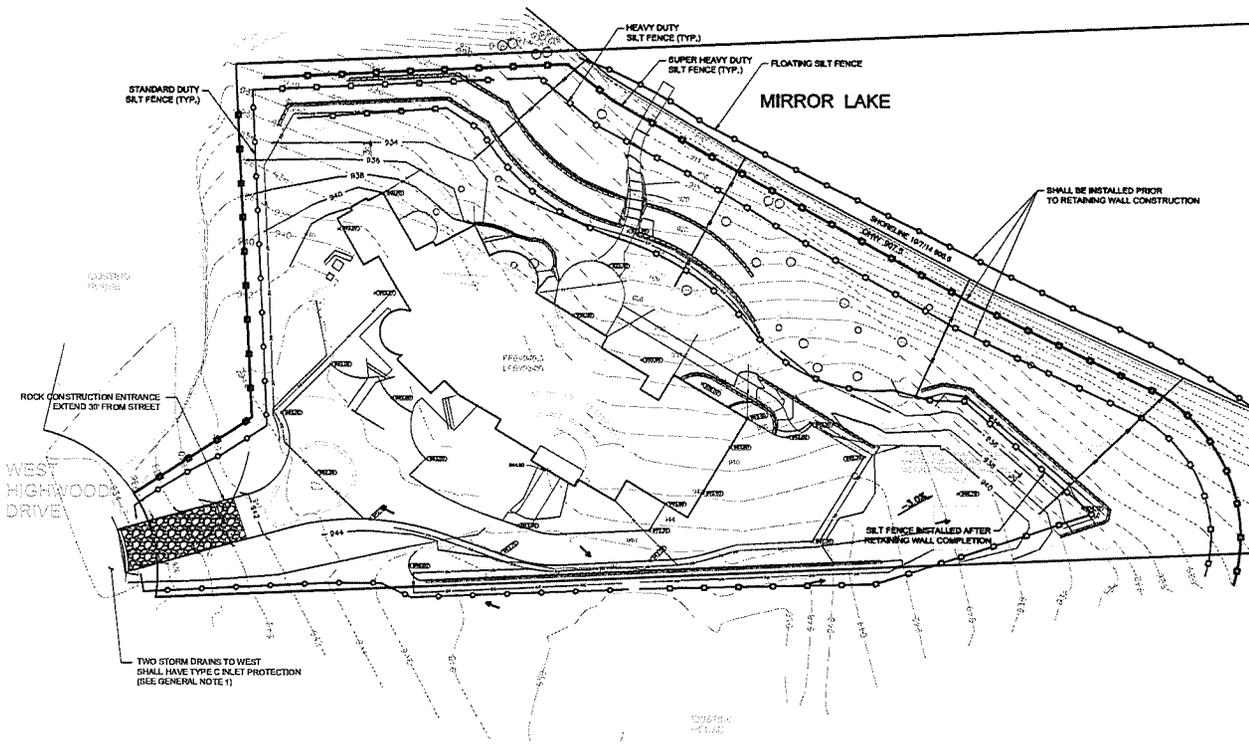
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Erosion Control Plan

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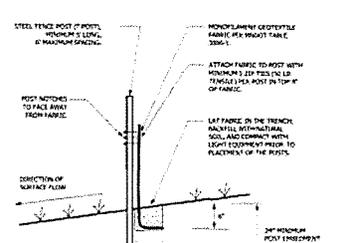
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Drawn By: DMS
 Checked By: DJN
 DATE: 01.19.2014
 PROJECT #: 2014-088.1

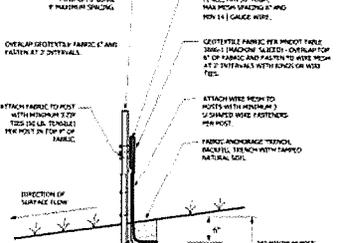
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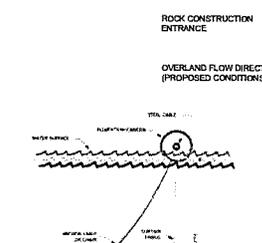
- NOTES:
- DIG A 6"X90" TRENCH ALONG THE INTENDED FENCE LINE.
 - DRIVE ALL POSTS INTO THE GROUND AT THE DOWNHILL SIDE OF THE TRENCH.
 - LAY OUT SILT FENCE ON THE UPHILL SIDE ALONG THE FENCE LINE AND BACKFILL.
 - WOOD POSTS MAY BE SPACED UP TO 4 FEET APART IF WIRE MESH IS NOT USED TO SUPPORT THE FABRIC. IF WIRE MESH IS USED TO SUPPORT THE FABRIC, STEEL POSTS MAY BE SPACED UP TO 8 FEET APART.
 - REMOVE SILT FENCE AFTER TURF IS ESTABLISHED.



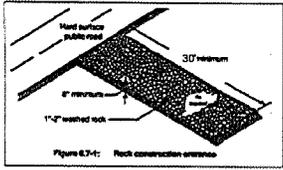
- NOTES:
- SPACING WILL BE MADE AT CROSSING SILT FENCE POINTS BY PLACING HOLES AND SILT FENCE BEAT TO EACH OTHER AND ROTATING 30°.
 - HEAVY DUTY SILT FENCE TO MAINTAIN GRADES TO SILT FENCE THAT IS 15-20 FEET INSTALLED IN AREAS SUBJECT TO EQUIPMENT DUE TO SPACE LIMITATIONS, USE WOODS, STEEL PIPES, ETC.



- NOTE:
- ATTACH FABRIC TO WIRE MESH AND SUPPORT POSTS WITH FENCE OR WIRE TIES.



- NOTE:
- SHOULD ALL POSTS BE SPACED AT 4 FEET.



1 STANDARD SILT FENCE DETAIL
 NOT TO SCALE

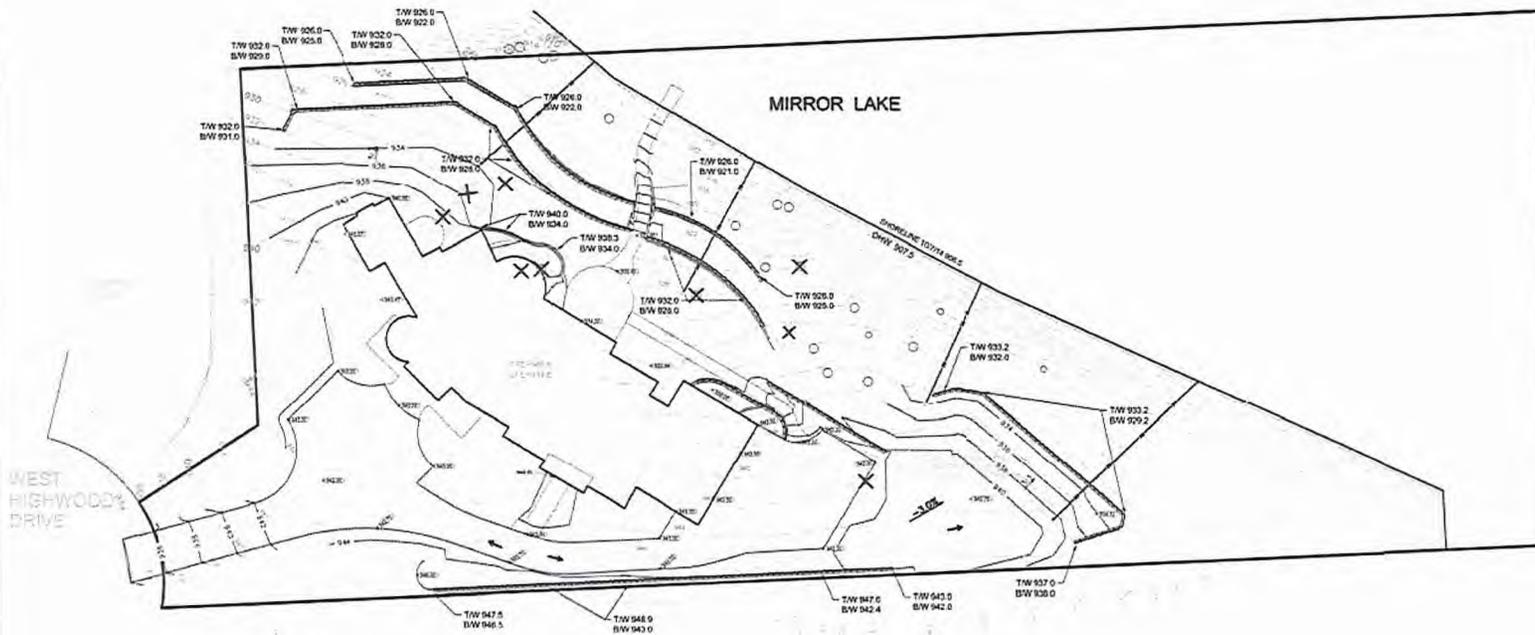
2 HEAVY DUTY SILT FENCE DETAIL
 NOT TO SCALE

3 SUPER HEAVY DUTY SILT FENCE
 NOT TO SCALE

4 FLOATING SILT FENCE
 NOT TO SCALE

5 ROCK CONSTRUCTION
 ENTRANCE NOT TO SCALE

A23



Preliminary Documents

CLIENT
Charles Cudd De Novo
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David Nash
 DATE: 1/16/2014
 REGISTRATION NUMBER: 21956

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|------------|------------|
| DRAWN BY | CHECKED BY |
| DMS | DJN |
| DATE | PROJECT # |
| 01.19.2014 | 2014-088.1 |

SHEET NUMBER

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GRADING NOTES

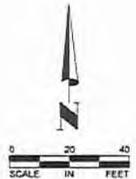
- PROPOSED CONTOURS ARE TO FINISHED SURFACE ELEVATION. SPOT ELEVATIONS ALONG PROPOSED CURB DENOTE FINISHING GRADE.
- THE CONTRACTOR SHALL TAKE ALL PRECAUTIONS NECESSARY TO AVOID PROPERTY DAMAGE TO ADJACENT PROPERTIES DURING THE CONSTRUCTION PHASES OF THIS PROJECT. THE CONTRACTOR WILL BE HELD SOLELY RESPONSIBLE FOR ANY DAMAGES TO THE ADJACENT PROPERTIES OCCURRING DURING THE CONSTRUCTION PHASES OF THIS PROJECT.
- THE CONTRACTOR SHALL COMPLETE THE SITE GRADING CONSTRUCTION IN ACCORDANCE WITH THE REQUIREMENTS OF THE OWNER'S SOILS ENGINEER. ALL SOIL TESTING SHALL BE COMPLETED BY THE OWNER'S SOILS ENGINEER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING ALL REQUIRED SOIL TESTS AND INSPECTIONS WITH THE SOILS ENGINEER.
- THE TREES AND OTHER NATURAL VEGETATION WITHIN THE PROJECT AND/OR ADJACENT TO THE PROJECT ARE OF PRIME CONCERN TO THE CONTRACTOR'S OPERATIONS AND SHALL BE A RESTRICTED AREA. HE WILL BE REQUIRED TO PROTECT THE TREES WHICH ARE TO BE SAVED TO BE SURE THAT THE EQUIPMENT IS NOT NEGLIGENTLY OPERATED UNDER NEARBY TREES AND SHALL EXERCISE EXTREME CAUTION IN WORKING ADJACENT TO TREES. SHOULD ANY PORTION OF THE TREE BRANCHES REQUIRE REMOVAL TO PERMIT OPERATION OF THE CONTRACTOR'S EQUIPMENT, HE SHALL OBTAIN THE SERVICES OF A PROFESSIONAL TREE TRIMMING SERVICE TO TRIM THE TREES PRIOR TO THE BEGINNING OF OPERATION. SHOULD THE CONTRACTOR'S OPERATIONS RESULT IN THE BREAKING OF ANY LIMBS, THE BROKEN LIMBS SHOULD BE REMOVED IMMEDIATELY AND CUTS SHALL BE PROPERLY PROTECTED TO MINIMIZE ANY LASTING DAMAGE TO THE TREE. NO TREES SHALL BE REMOVED WITHOUT AUTHORIZATION BY THE ENGINEER. COSTS FOR TRIMMING SERVICES SHALL BE CONSIDERED INCIDENTAL TO THE CONSTRUCTION AND NO SPECIAL PAYMENT WILL BE MADE.
- ALL RETAINING WALLS 4' TALL AND OVER SHALL BE STRUCTURALLY DESIGNED.

GENERAL NOTES

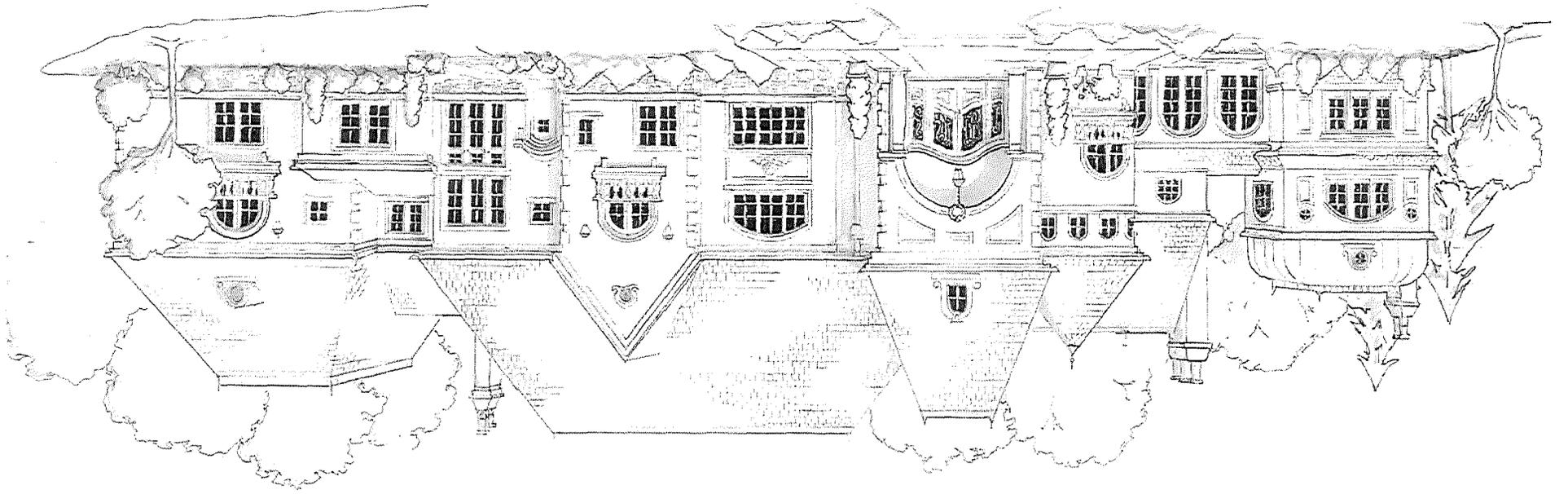
TOPOGRAPHIC SURVEY PROVIDED BY:
 FRANK R. CARDANELLE, DATED 10/01/2014 WITH EASEMENT REVISION DATED 12/23/2014

LEGEND

- EXISTING CONTOUR
- PROPOSED CONTOUR
- PROPOSED SPOT ELEVATION
- EXISTING TREES TO BE REMOVED (19 TREES)
- DRAINAGE DIRECTION (PROPOSED CONDITIONS)



A27



A26



DATE: January 28, 2014
TO: Cary Teague – Planning Director
CC: David Fisher – Building Official
Ross Bintner P.E. - Environmental Engineer
FROM: Charles Gerck EIT – Engineering Technician
RE: **5240 West Highwood Drive - Special Review**

The Engineering Department has reviewed the subject property for street and utility concerns, grading, storm water, erosion and sediment control and for general adherence to the relevant ordinance sections. This review was performed at the request of the Planning Department; a more detailed review will be performed at the time of building permit application.

Summary of Review

The proposed plan appears to be for the demolition of an existing home and the construction of a new home on Mirror Lake. The proposed storm water management plan directs any additional run-off created by the new construction to an underground system of french drains and underground treatment areas. Due to the location of these underground treatment areas a slope-stability analysis will need performed by a licensed geotechnical engineer. Final plans will need to be approved Nine Mile Creek Watershed District. If the existing driveway is to be replaced, applicant will need to apply for a curb cut permit. The proposed plans do not affect neighboring private property.

Grading and Drainage

The proposed storm water management plan directs any additional run-off created by the new construction to an underground system of french drains and underground treatment areas. This system has been designed by a licensed engineer and is intended to help collect, infiltrate and clean any new run-off that would have been discharged to Mirror Lake. Due to the location of these underground treatment areas a slope-stability analysis will need to be performed by a licensed geotechnical engineer to determine the effects on the cohesive strength of the soils when saturated by the underground treatment areas. The proposed plans also show proposed wall heights over four-feet, these walls will need to be designed by a licensed engineer. The proposed plans have been preliminary reviewed by Nine Mile Creek Watershed District, final plans will need to be approved by NMCWD prior to issuance of a building permit. The proposed plans do not affect neighboring private property.

Erosion and Sediment Control

No concerns

Street and Curb Cut

If driveway is to be replaced, applicant will need to apply for a curb cut permit.

Water and Sanitary Utilities

Applicant will need to verify their water service connection with public works and engineering.

ENGINEERING DEPARTMENT

7450 Metro Boulevard • Edina, Minnesota 55439
www.EdinaMN.gov • 952-826-0371 • Fax 952-826-0392

A28