

REPORT / RECOMMENDATION



To: MAYOR AND COUNCIL

Agenda Item #: VI.B.

From: Cary Teague, Community Development Director

Action

Discussion

Information

Date: October 1, 2013

Subject: PUBLIC HEARING – Resolution No. 2013-84; Preliminary Plat at 5 Merilane for John Adams on behalf of Ted Warner.

Action Requested:

Adopt the attached resolution.

Information / Background:

John Adams, on behalf of property owner Ted Warner is proposing to subdivide the property at 5 Merilane into three lots. The existing home is located in the middle of the property, and would remain as proposed. A new driveway would be constructed to serve the existing home, as the current driveway would be located on proposed Lot 3. The existing driveway would be used for access to a new home on Lot 3. (See applicant narrative and plans on pages A5–A13 of the Planning Commission staff report.)

The proposal meets all minimum lot size requirements. Within this neighborhood, the median lot area is 48,249 square feet, median lot depth is 277 feet, and the median lot width is 192. (See attached median calculations on pages A7–A9 of the Planning Commission staff report.)

Planning Commission Recommendation:

A motion to approve the request failed for a lack of a second. Motion to approve was based on the findings and conditions in the Planning Commission staff report.

A motion to deny the request failed on a vote of 3-5. Motion to deny was based on the finding that the subdivision as proposed would change the character and symmetry of the Rolling Green neighborhood, and in particular based on changes to the character and symmetry that would occur as the result of new house placement in close proximity to existing homes.

The second motion to deny the request is based on the following considerations from the Subdivision Ordinance. Please note that these considerations are subjective; the proposed subdivision meets the City's minimum size regulations.

Subd. 1 **Considerations.** The Commission in reviewing proposed plats and subdivisions and in determining its recommendation to the Council, and the Council in determining whether to approve or disapprove of any plat or subdivision, may consider, among other matters, the following:

- A. The impact of the proposed plat or subdivision, and proposed development, on the character and symmetry of the neighborhood as evidenced and indicated by, but not limited to, the following matters:
 - 1. The suitability of the size and shape of the lots in the proposed plat or subdivision relative to the size and shape of lots in the neighborhood; and
 - 2. The compatibility of the size, shape, location and arrangement of the lots in the proposed plat or subdivision with the proposed density and intended use of the site and the density and use of lots in the neighborhood.
- B. The impact of the proposed plat or subdivision, and proposed development, on the environment, including but not limited to, topography, steep slopes, vegetation, naturally occurring lakes, ponds and streams, susceptibility of the site to erosion and sedimentation, susceptibility of the site to flooding and water storage needs on and from the site.
- C. The consistency of the proposed plat or subdivision, and proposed development, and compliance by the proposed plat or subdivision, and the proposed development, with the policies, objectives, and goals of the Comprehensive Plan.
- D. The compliance of the proposed plat or subdivision, and the proposed development with the policies, objectives, goals and requirements of Section 850 of this Code including, without limitation, the lot size provisions and the Floodplain Overlay District provisions of Section 850 of this Code.
- E. The impact of the proposed plat or subdivision, and proposed development on the health, safety and general welfare of the public.
- F. The relationship of the design of the site, or the improvements proposed and the conflict of such design or improvements, with any easements of record or on the ground.
- G. The relationship of lots in the proposed plat or subdivision to existing streets and the adequacy and safety of ingress to and egress from such lots from and to existing streets.
- H. The adequacy of streets in the proposed plat or subdivision, and the conformity with existing and planned streets and highways in surrounding areas. Streets in the proposed plat or subdivision shall be deemed inadequate if designed or located so as to prevent or deny public street access to adjoining properties, it being the policy of the City to avoid landlocked tracts, parcels or lots.

- I. The suitability of street grades in relation to the grades of lots and existing or future extension of the City's water, storm and sanitary sewer systems.
- J. The adequacy and availability of access by police, fire, ambulance and other life safety vehicles to all proposed improvements to be developed on the proposed plat or subdivision.
- K. Whether the physical characteristics of the property, including, without limitation, topography, vegetation, susceptibility to erosion or siltation, susceptibility to flooding, use as a natural recovery and ponding area for storm water, and potential disturbance of slopes with a grade of 18 percent or more, are such that the property is not suitable for the type of development or use proposed.
- L. Whether development within the proposed plat or subdivision will cause the disturbance of more than 25 percent of the total area in such plat or subdivision containing slopes exceeding 18 percent.
- M. Whether the proposed plat or subdivision, or the improvements proposed to be placed thereon are likely to cause substantial environmental damage.

ATTACHMENTS:

- Resolution No. 2013-84
- Draft minutes from the September 11, 2013 Edina Planning Commission meeting
- Planning Commission Staff Report, September 11, 2013



**RESOLUTION NO. 2013-84
APPROVING A PRELIMINARY PLAT
AT 5 MERILANE**

BE IT RESOLVED by the City Council of the City of Edina, Minnesota, as follows:

Section 1. BACKGROUND.

- 1.01 John Adams, on behalf of property owner Ted Warner is proposing to subdivide the property at 5 Merilane into three lots.
- 1.02 The existing home is located in the middle of the property, and would remain as proposed. A new driveway would be constructed to serve the existing home, as the current driveway would be located on proposed Lot 3. The existing driveway would be used for access to a new home on Lot 3.
- 1.03 Within this neighborhood, the median lot area is 48,249 square feet, median lot depth is 277 feet, and the median lot width is 192. All three meet the above medians.
- 1.04 The following described tract of land is requested to be divided:

Lot 5 Rolling Green, Hennepin County, Minnesota.
- 1.05 The owner of the described land desires to subdivide said tract in to the following described new and separate parcels (herein called "parcels") described as follows:

Lots 1, 2 and 3 Warner Estates
- 1.06 The proposed subdivision meets all minimum zoning ordinance requirements.
- 1.07 On July 24, 2013, the Planning Commission considered the request for subdivision. The following motions failed:
 1. A motion to approve the request failed for a lack of a second. Motion to approve was based on the findings and conditions in the Planning Commission staff report.
 2. A motion to deny the request failed on a vote of 3-5. Motion to deny was based on the finding that the subdivision as proposed would change the character and symmetry of the Rolling Green neighborhood, and in particular based on changes to the character and symmetry that would occur as the result of new house placement in close proximity to existing homes.

CITY OF EDINA

Section 2. FINDINGS

2.01 Approval is based on the following findings:

1. The proposed Plat meets all required standards and ordinances for a subdivision.
2. The subdivision would meet the neighborhood medians for lot width and depth and area.
3. The applicant has located the driveways and home to minimize tree and slope disturbance.

Section 3. APPROVAL

NOW THEREFORE, it is hereby resolved by the City Council of the City of Edina, approves the Preliminary Plat for the proposed subdivision of 6609 Blackfoot Pass.

Approval is subject to the following Conditions:

1. The City must approve the final plat within one year of preliminary approval or receive a written application for a time extension or the preliminary approval will be void.
2. Park dedication fee of \$10,000 must be paid prior to release of the final plat.
3. Prior to issuance of a building permit, the following items must be submitted:
 - a. Submit evidence of a Minnehaha Creek Watershed District approval. The City may require revisions to the preliminary plat to meet the district's requirements.
 - b. Curb-cut permits must be obtained from the Edina engineering department. Driveway plans must be consistent with the proposed grading plan to preserve as many trees as possible.
 - c. A grading plan subject to review and approval of the city engineer.
 - d. A construction management plan will be required for the construction of the new homes.
 - e. Utility hook-ups are subject to review of the city engineer.

Adopted this ____ day of _____, 2013.

ATTEST: _____
Debra A. Mangen, 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 _____, 2013, and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this ____ day of _____, 2013.

City Clerk

P.C.
9/11

C. Preliminary Plat. John Adams on behalf of Ted E. Warner, 5 Merilane, Edina, MN

Planner Presentation

Planned Teague reported that John Adams, on behalf of property owner Ted Warner is proposing to subdivide the property at 5 Merilane into three lots. The existing home is located in the middle of the property, and would remain as proposed. A new driveway would be constructed to serve the existing home, as the current driveway would be located on proposed Lot 3. The existing driveway would be used for access to a new home on Lot 3. To accommodate the request the following is required: Preliminary & Final Plat.

Continuing, Teague explained that the proposal meets all minimum lot size requirements. Within this neighborhood, the median lot area is 48,249 square feet, median lot depth is 277 feet, and the median lot width is 192. All three lots would gain access off Merilane.

Planner Teague concluded that because the proposed subdivision meets all of Edina's Zoning Ordinance requirements; recommend that the City Council approve the proposed three lot subdivision of 5 Merilane.

Approval is based on the following findings:

1. The proposal meets all the required standards and ordinances for a subdivision.
2. The applicant has located the driveways and home to minimize tree and slope disturbance.

Approval is also subject to the following conditions:

1. The City must approve the final plat within one year of preliminary approval or receive a written application for a time extension or the preliminary approval will be void.
2. Park dedication fee of \$10,000 must be paid prior to release of the final plat.
3. Prior to issuance of a building permit, the following items must be submitted:
 - a. Submit evidence of a Minnehaha Creek Watershed District approval. The City may require revisions to the preliminary plat to meet the district's requirements.
 - b. Curb-cut permits must be obtained from the Edina engineering department. Driveway plans must be consistent with the proposed grading plan to preserve as many trees as possible.
 - c. A grading plan subject to review and approval of the city engineer.

- d. A construction management plan will be required for the construction of the new homes.
- e. Utility hook-ups are subject to review of the city engineer.

Appearing for the Applicant

John Adams, Coldwell Banker

Applicant Presentation

John Adams introduced Ted Warner property owner and Mark Gronberg Engineer.

Mr. Adams informed the Commission the current Warner house will remain and the intent is to build new homes on Lots 1 and 3. Adams told the Commission the Warner family hired Kramer to custom design and build the new homes. Adams noted that as proposed the subdivision meets ordinance requirements. He also reported he met with adjoining neighbors to discuss the proposed plat. Continuing, Adams said to accommodate the new building pads little grading would occur, attention would be paid to driveway placement and the existing vegetation would be retained where possible. Concluding, Adams asked the Commission for their support.

Ted Warner addressed the Commission and explained that he grew up in the house, adding the family takes this subdivision very seriously and believes the layout of the proposed lots would work. This subdivision would also provide them the opportunity to remain in the neighborhood.

Chair Staunton opened the public hearing.

Public Hearing

The following residents addressed the Commission and spoke in opposition to the request by John Adams on behalf of Ted Warner to subdivide 5 Merilane into three (3) single dwelling unit lots.

Mark Genau, 6 Merilane, Edina, MN

Dave Evinger, 4 Merilane, Edina, MN

James Ganley, 4704 Merilane, Edina, MN

Mike Callan, 10 Merilane, Edina, MN

Mary Pohlada, 7 Merilane, Edina, MN

Sandy Genau, 6 Merilane, Edina, MN

Pat Maloney, 5804 Mait Lane, Edina, MN

Phil Broat, 4820 Rolling Green Parkway, Edina, MN

Tom Owens, representing Ms. Pohlad, 7 Merilane, Edina, MN

Residents that testified expressed the following:

- The plat as presented creates three lots; however, to comply with Zoning Ordinance requirements the three building pads have been clustered at the top of the hill virtually “cramming” the new homes on top of the existing homes at 6 and 7 Merilane.
- The proposal as submitted negatively impacts the character of the Rolling Green neighborhood. If subdivided to comply with the Zoning Ordinance there will be five homes in close proximity to each other. Rolling Green is not a “high-density” neighborhood.
- Residents purchased their homes in Rolling Green for the large lots and generous spacing between homes. This subdivision would compromise those standards.
- If approved to comply with the Zoning Ordinance these three new homes wouldn’t have rear yards.
- The Commission has the discretion to deny the plat based on character and symmetry of the neighborhood.
- There is the concern if the three lot subdivision is approved that slowly the neighborhood “average” will change piece by piece with lots becoming smaller and smaller over time.
- Consider a two lot subdivision; not three. Consider variance for house placement.
- There is an issue of vehicle and pedestrian safety. The subject lot is curved; a reversed pie and a traffic study should be conducted.

Charlie Carpenter, attorney representing the applicant addressed the Commission and stated the plat as depicted meets the subdivision ordinance requirements and in their opinion makes sense. Carpenter also noted that the applicant has indicated they would minimize any disruption to the site through driveway placement and the retention of existing vegetation.

Chair Staunton asked if anyone else would like to speak to the issue; being none Commissioner Platteter moved to close the public hearing. Commissioner Fischer seconded the motion. All voted aye; motion carried.

Discussion

Chair Staunton suggested that the Commission meet with the City Attorney regarding subdivisions to clarify what action the Commission can take when a plat technically meets Ordinance requirements. Planner Teague said he would speak with the City Attorney, Roger Knutson and set up a work session to discuss subdivision and other planning issues.

Commissioner Schroeder stated it appears to him that this subdivision feels more like in-fill development, adding if approved there will be a distinct change in this neighborhood.

Commissioner Grabiell said the applicant has indicated they would do their best to retain the vegetation along Merilane and minimize driveway placement, adding he can support the subdivision request as submitted.

Motion

Commissioner Grabiell moved to recommend preliminary plat approval for 5 Merilane based on staff findings and subject to staff conditions.

Motion failed for lack of second.

Discussion

Commissioner Scherer stated it's very obvious to her that the subdivision as presented creates three pie shaped lots that without the relief of a variance from the Zoning Ordinance would cluster three homes at the top of the hill. Scherer reiterated the clustering of homes bothers her; however, a variance may mitigate that issue.

Commissioner Fischer stated he struggles with this request, adding the plat as presented complies with the Ordinance and provides three buildable lots, adding the applicant has indicated from the street that they intend to minimize driveway placement and preserve trees and vegetation along the street. Fischer did acknowledge this would be a change.

Motion

Commissioner Schroeder moved to recommend denial of the preliminary plat for 5 Merilane based on the finding that the subdivision as proposed would change the character and symmetry of the Rolling Green neighborhood, and in particular denial is based on changes to the character and symmetry that would occur as the result of new house placement in close proximity to existing homes. Commissioner Scherer seconded the motion.

A discussion occurred on the character and symmetry of the Rolling Green neighborhood. It was pointed out that the lots on the west side of Merilane are platted completely different from the lots to the east. It was further noted that spacing between the homes on the west

side of Merilane is generous; however, if the subdivision is approved and house placement occurs as presented the new homes on the east side of Merilane would be clustered together at the top in close proximity to each other and the existing homes on Lots 6 and 7 Merilane-completely out of character with the neighborhood.

The discussion continued with Commissioners acknowledging that the presented preliminary plat meets Subdivision Ordinance requirements for area, width and depth and if the subdivision were approved it doesn't necessarily mean the houses would be built as depicted. The Zoning Ordinance provides the opportunity through the variance process to be flexible with house placement.

It was further noted that the applicant has the option of withdrawing the request to revise the plat to include front yard setback variance options or the Commission can vote on the motion.

Mr. Adams in response to the discussion on character and symmetry and front yard setback/house placement stated that the reason the new homes are positioned with such deep front yard setbacks is to match the front yard setbacks established by the neighboring properties. This is a requirement of the Zoning Ordinance.

Ayes; Scherer, Schroeder, Potts. Nays; Fischer, Platteter, Forrest, Grabel, Staunton. Motion failed.5-3.

VIII. CORRESPONDENCE AND RECOMMENDATIONS

Chair Staunton acknowledged back of packet materials.

IX. CHAIR AND COMMISSION COMMENTS

Chair Staunton welcomed Mike Fischer back to the Commission. Staunton explained the City Council appointed Mike Fischer to replace Commissioner Carpenter who recently resigned from the Commission.

Chair Staunton commented that staff is continuing their work on finalizing the Commissions 2014 Work Plan.

Continuing, Staunton reiterated that staff is also working on setting dates for a work session with Roger Knutson, City Attorney and Cindy Larson, Redevelopment Coordinator. Planner Teague responded he would work on scheduling work sessions; adding he believes October 9th would work well for Cindy Larson. Commissioner Fischer said in the work session with Roger Knutson he would like to discuss and ask for clarification on the 500-foot neighborhood requirement previously mentioned by Chair Staunton. Questioning if the 500-foot



PLANNING COMMISSION STAFF REPORT

Originator Cary Teague Community Development Director	Meeting Date September 11, 2013	Agenda # VI.C.
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INFORMATION & BACKGROUND

Project Description

John Adams, on behalf of property owner Ted Warner is proposing to subdivide the property at 5 Merilane into three lots. (See property location on pages A1–A4.) The existing home is located in the middle of the property, and would remain as proposed. A new driveway would be constructed to serve the existing home, as the current driveway would be located on proposed Lot 3. The existing driveway would be used for access to a new home on Lot 3. (See applicant narrative and plans on pages A5–A13.) To accommodate the request the following is required:

1. Preliminary & Final Plat.

The proposal meets all minimum lot size requirements. Within this neighborhood, the median lot area is 48,249 square feet, median lot depth is 277 feet, and the median lot width is 192. (See attached median calculations on pages A7–A9.) All three lots would gain access off Merilane. (See page A13.)

Surrounding Land Uses

The lots on all sides of the subject properties are single-family homes, zoned and guided low-density residential.

Existing Site Features

The existing site is located on the curved portion of Merilane. The site is 3.48 acres in size, and contains a single family home. The site contains some gradual slopes and mature trees. (See pages A3, A4 and A13.)

Planning

Guide Plan designation: Single-dwelling residential
Zoning: R-1, Single-dwelling district

Lot Dimensions

	Area	Lot Width	Depth
REQUIRED	48,249 s.f.	192 feet	277 feet
Lot 1	50,863 s.f.	281 feet	337 feet
Lot 2	50,511 s.f.	202 feet	373 feet
Lot 3	50,455 s.f.	268 feet	334 feet

The proposed subdivision meets all lot dimension requirements.

Grading/Drainage and Utilities

The city engineer has reviewed the proposed plans and found them generally acceptable. Adequate drainage and utility easements are proposed along all the lot lines. The detailed grading plans would be reviewed by the city engineer at the time of building permit application for each lot. A construction management plan will be required for the construction of the new homes. A Minnehaha Creek Watershed District permit would also be required.

Park Dedication

As with all subdivision proposals, park dedication is required. Edina City Code requires a park dedication fee of \$5,000 for each additional lot created. Therefore a park dedication fee of \$10,000 would be required.

Primary Issue

- **Is the proposed subdivision reasonable for the site?**

Yes. Staff believes that the proposed subdivision is reasonable for the following reasons:

1. The proposed subdivision meets all minimum zoning ordinance requirements. As such, the applicant is entitled to subdivide the property.

2. The applicant has located the driveways so as not to disturb the mature trees on the site. (See page A13.)
3. Building pad locations would meet all minimum setback requirements. (See pages A12–A13.) The front yard setback requirements are established by the average of the two homes on either side. With the existing home to remain, the front yard setbacks for Lots 1 & 3 are established by the average setback of the existing home on Lot 2 and the adjacent homes.

Staff Recommendation

Because the proposed subdivision meets all of Edina's Zoning Ordinance requirements, recommend that the City Council approve the proposed three lot subdivision of 5 Merilane.

Approval is based on the following findings:

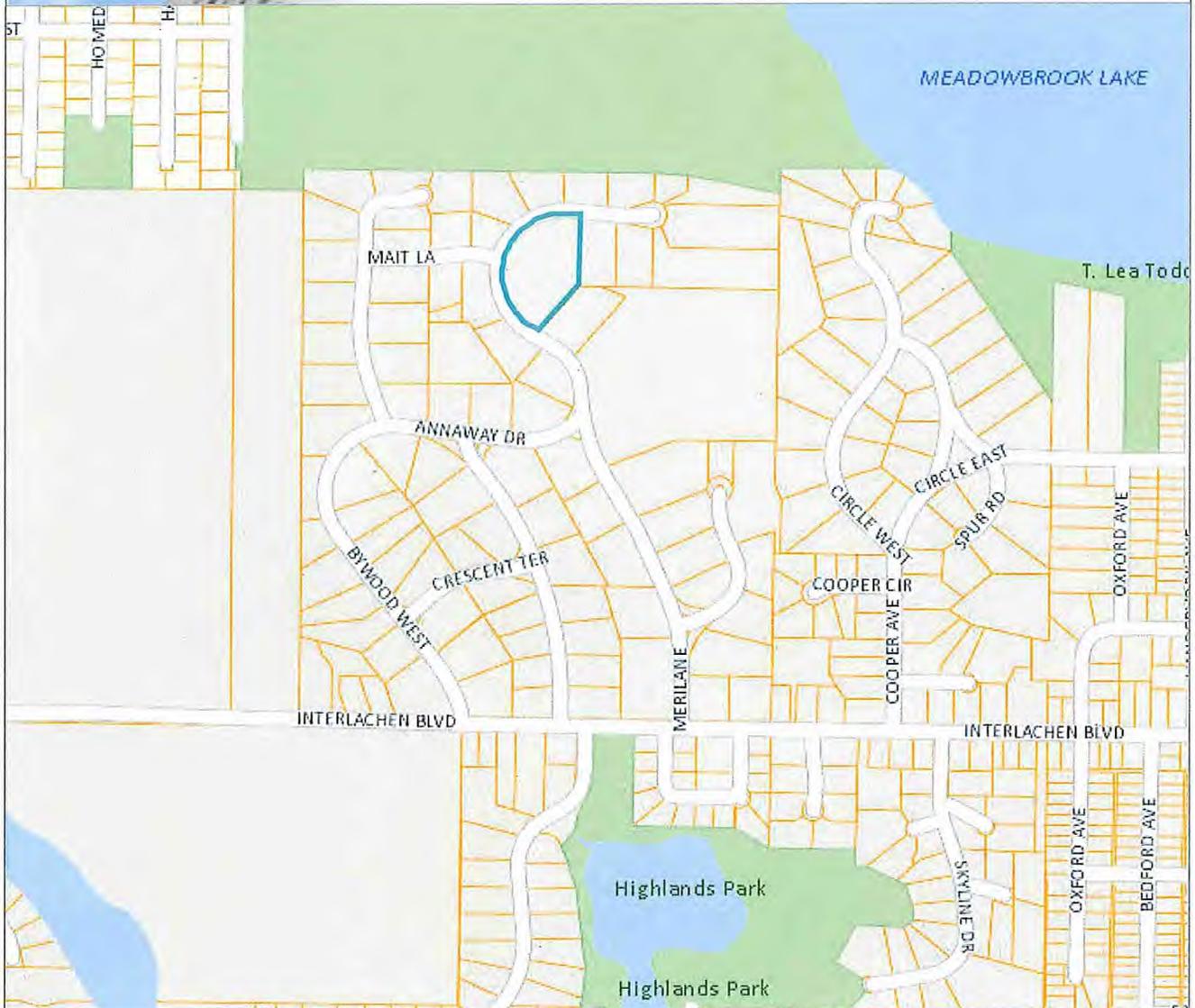
1. The proposal meets all the required standards and ordinances for a subdivision.
2. The applicant has located the driveways and home to minimize tree and slope disturbance.

Approval is subject to the following conditions:

1. The City must approve the final plat within one year of preliminary approval or receive a written application for a time extension or the preliminary approval will be void.
2. Park dedication fee of \$10,000 must be paid prior to release of the final plat.
3. Prior to issuance of a building permit, the following items must be submitted:
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 - b. Curb-cut permits must be obtained from the Edina engineering department. Driveway plans must be consistent with the proposed grading plan to preserve as many trees as possible.
 - c. A grading plan subject to review and approval of the city engineer.

- d. A construction management plan will be required for the construction of the new homes.
- e. Utility hook-ups are subject to review of the city engineer.

Deadline for a City Decision: November 4, 2013



Parcel ID: 29-117-21-12-0009

Owner Name: H David Warner Etal

Parcel Address: 5 Merilane Edina, MN 55436

Property Type: Residential

Home-stead: Homestead

Parcel Area: 3.48 acres
151,680 sq ft

Map Scale: 1" ≈ 800 ft.

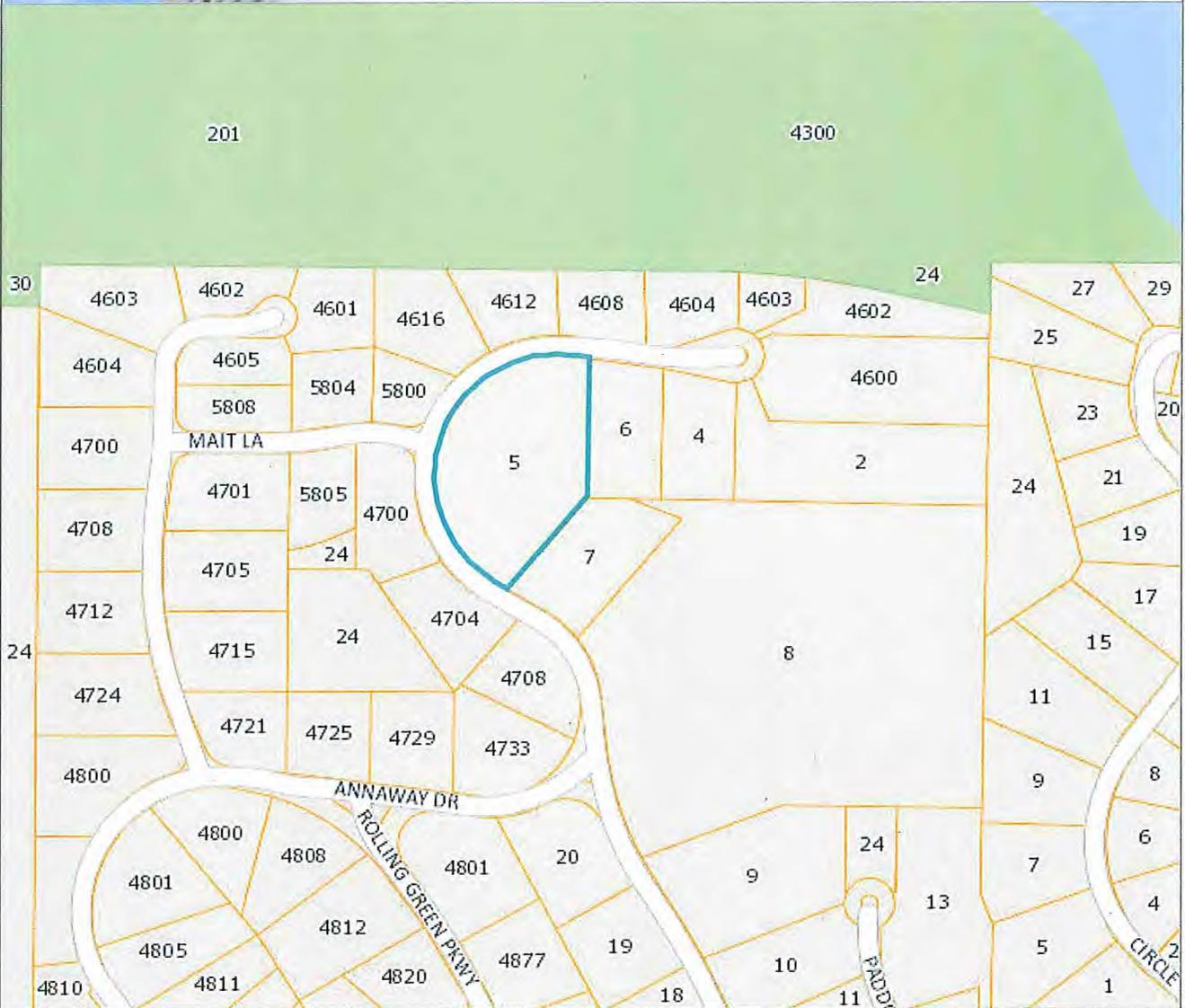
Print Date: 9/5/2013



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Parcel ID: 29-117-21-12-0009

Owner Name: H David Warner Etal

Parcel Address: 5 Merilane Edina, MN 55436

Property Type: Residential

Home-stead: Homestead

Parcel Area: 3.48 acres
151,680 sq ft

Map Scale: 1" ≈ 400 ft.

Print Date: 9/5/2013

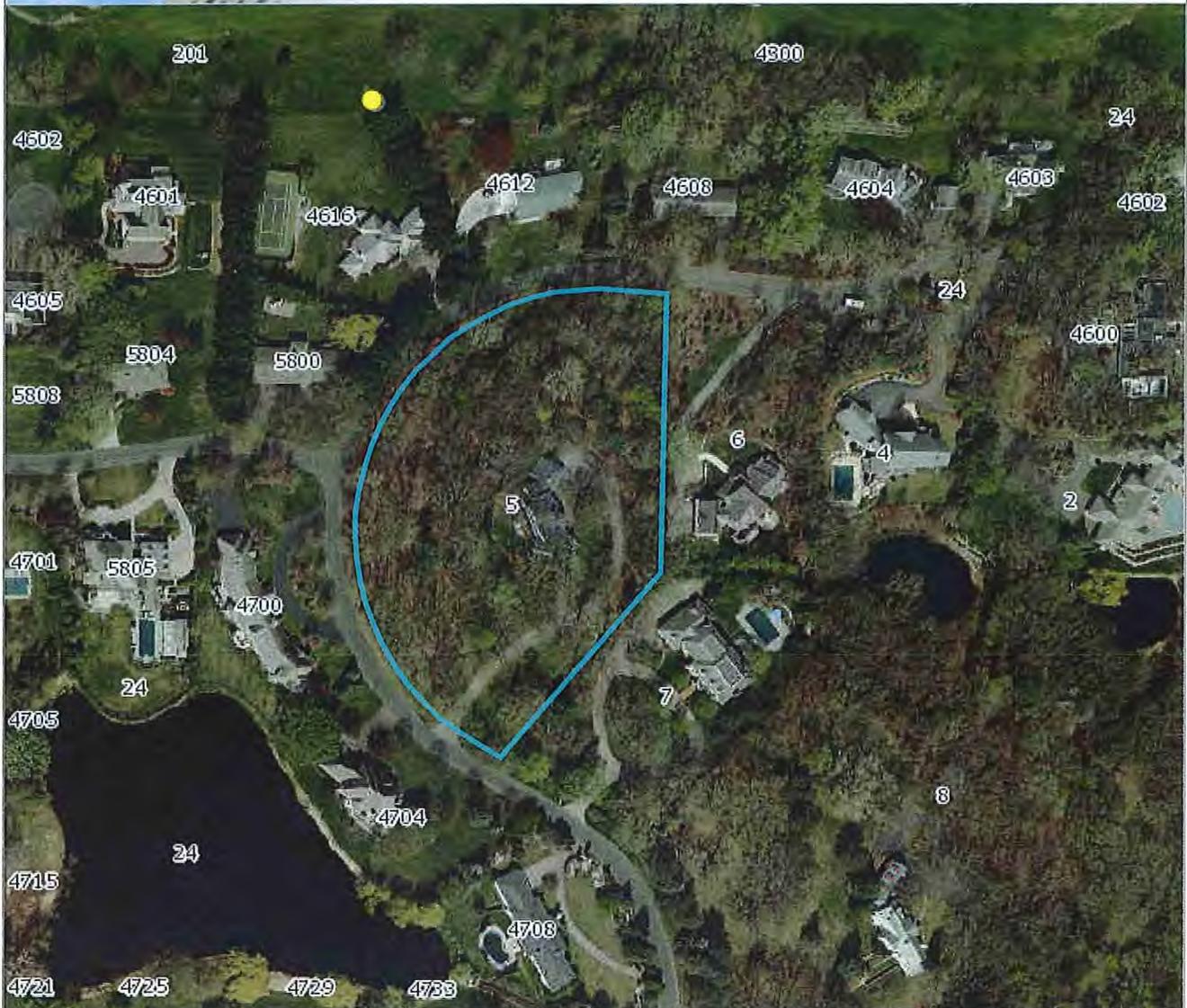


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A2



Parcel ID: 29-117-21-12-0009

Owner Name: H David Warner Etal

Parcel Address: 5 Merilane Edina, MN 55436

Property Type: Residential

Home-stead: Homestead

Parcel Area: 3.48 acres
151,680 sq ft

Map Scale: 1" ≈ 200 ft.
Print Date: 9/5/2013



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Parcel ID: 29-117-21-12-0009

Owner Name: H David Warner Etal

Parcel Address: 5 Merilane
Edina, MN 55436

Property Type: Residential

Home-stead: Homestead

Parcel Area: 3.48 acres
151,680 sq ft

Map Scale: 1" ≈ 100 ft.

Print Date: 9/5/2013



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A4

APPLICANT
NARRATIVE

From: Ted E. Warner and John F. Adams | Coldwell Banker Burnet

To: Cary Teague
Community Development Director
City of Edina

Subject: Subdivision of 5 Merilane into 3 separate lots total (2 additional lots)

Date: August 8, 2013

My family, the Warner family, has owned this property for almost 50 years. We have watched Rolling Green undergo many changes, including numerous subdivisions and many new homes built in place of older homes being torn down. We currently have the second largest parcel in the neighborhood, almost 3.5 acres, other than the "Short Property" which is 15 acres.

It is our intention to subdivide the parcel into three separate lots, noted as Lot 1, Lot 2 and Lot 3 on the survey. Per the attached 500 foot area study, the subdivided lots will be above the mean lot size, width and depth of the lots in the neighborhood. We have executed contracts with John Kraemer & Sons, Inc. on Lots 1 and 2, contingent upon obtaining our subdivision approval. It is Gary Kraemer's (President of John Kraemer & Sons, Inc.) intention to leave the existing house on Lot 2 until he gets a client put in place that decides whether they want to remodel the existing house or tear it down and build a new single family home on Lot 2. Upon obtaining approval, Kraemer would also be building a single family home on Lot 1. The survey shows the building pads for both Lot 1, under contract with Kraemer and Lot 3 currently either being sold or possibly kept by a family member.

Our proposed subdivision complies with all of the City's ordinances and we are not seeking any variances.

If you have any questions about this application, please contact John F. Adams at 612.720.4827 or JAdams@cbburnet.com.

A5

PLANNING DEPARTMENT
AUG 09 2013
CITY OF EDINA

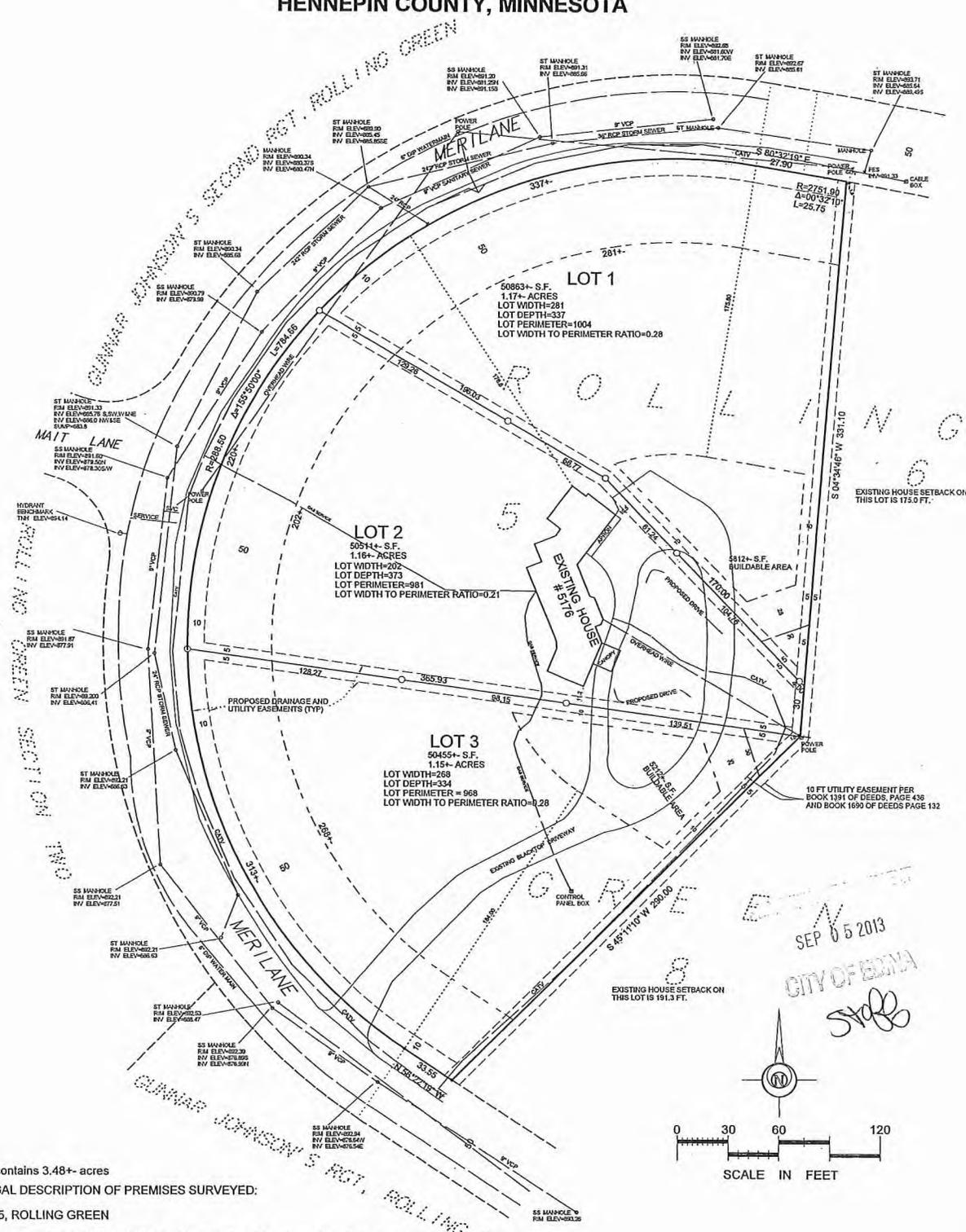
WARNER ESTATES

PRELIMINARY PLAT FOR

THE H. D. WARNER ESTATE

OF LOT 5, ROLLING GREEN

HENNEPIN COUNTY, MINNESOTA



Lot contains 3.48+ acres
LEGAL DESCRIPTION OF PREMISES SURVEYED:
 Lot 5, ROLLING GREEN

This survey shows the boundaries and topography of the above described property, and the location of an existing house and driveway. It does not purport to show any other improvements or encroachments.
NOTE: The land surveyed covers the entire parcel and there are no gaps or overlaps with adjoining parcels.
 • : Iron marker found
 ○ : Iron marker set
 : Existing contour (City of Edina datum)
 Bearings shown are based upon an assumed datum
 Trees shown are in the areas of the proposed drives and houses and 8" diameter and larger.

P I D : 29-117-21-12-0009
 CURRENT ZONING : R-1

OWNERS
 JOAN A. WARNER, DAVID A. WARNER AND TED E. WARNER
 C/O JOHN ADAMS, AGENT
 COLDWELL BANKER BURNET
 201 E. LAKE STREET
 WAYZATA, MN 55391
 612-720-4827
 jadams@cbbumet.com

AG

REVISIONS		DESIGNED
DATE	BY	REMARKS
7-31-13		TREES, UTILITIES ADDED
9-4-13		PROPOSED D & U EASEMENTS ADDED

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.
Michael J. Gronberg
 DATE: 2-2-17 MINN. LICENSE NUMBER: 227255

GRONBERG & ASSOCIATES, INC.
 CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS
 445 N. WILLOW DRIVE LONG LAKE, MN 55356
 PHONE: 952-473-4141 FAX: 952-473-4435

GRONBERG & ASSOCIATES, INC.

SURVEYING, ENGINEERING AND LAND PLANNING

445 N. WILLOW DRIVE

LONG LAKE, MINNESOTA 55356

952-473-4141

FAX: 952-473-4435

5 MERILANE
H. D. WARNER ESTATE
MEDIAN LOT AREA WITHIN 500'
JULY 31, 2013

ADDRESS	LOT AREA* S.F. ±	RANK
8 Merilane	657,865	1
7 Merilane	68,206	5
6 Merilane	56,087	7
4 Merilane	51,305	10
2 Merilane	120,550	3
4600 Merilane	112,227	4
4602 Merilane	47,933	15
4603 Merilane	18,649	28
4604 Merilane	36,258	21
4608 Merilane	34,273	23
4612 Merilane	37,479	20
4616 Merilane	51,057	12
4700 Merilane	48,249	14 Median
4704 Merilane	48,435	13
4708 Merilane	43,958	17
4733 Annaway Dr.	51,227	11
4729 Annaway Dr.	45,696	16
4725 Annaway Dr.	41,138	18
4715 Annaway Dr.	52,805	9
4705 Annaway Dr.	57,352	6
4701 Annaway Dr.	52,969	8
4605 Annaway Dr.	30,014	25
4602 Annaway Dr.	28,737	26
4601 Annaway Dr.	38,799	19
5808 Mait La.	30,779	24
5805 Mait La.°	131,677	2
5804 Mait La.	35,640	22
5800 Mait La.	24,817	27

* From Hennepin County property records

° 5805 Mait La. is in 3 parcels.

NOTE: 14 & 15 are tied for the median. We used the higher number 14 to be conservative.

A7

PLANNING DEPARTMENT
AUG 08 2013
CITY OF EDINA

GRONBERG & ASSOCIATES, INC.

SURVEYING, ENGINEERING AND LAND PLANNING

445 N. WILLOW DRIVE

LONG LAKE, MINNESOTA 55356

952-473-4141

FAX: 952-473-4435

5 MERILANE
H. D. WARNER ESTATE
MEDIAN WIDTH WITHIN 500'
JUNE 31, 2013

ADDRESS	LOT WIDTH* FT ±	RANK
8 Merilane	580	1
7 Merilane	202	9
6 Merilane	178	18
4 Merilane	176	19
2 Merilane	60	27
4600 Merilane	180	17
4602 Merilane	30	28
4603 Merilane	94	26
4604 Merilane	228	6
4608 Merilane	212	8
4612 Merilane	192	14 Median
4616 Merilane	139	23
4700 Merilane	140	22
4704 Merilane	260	5
4708 Merilane	282	3
4733 Annaway Dr.	290	2
4729 Annaway Dr.	200	11
4725 Annaway Dr.	201	10
4715 Annaway Dr.	195	13
4705 Annaway Dr.	191	15
4701 Annaway Dr.	187	16
4605 Annaway Dr.	110	25
4602 Annaway Dr.	281	4
4601 Annaway Dr.	213	7
5808 Mait La.	112	24
5805 Mait La.°	162	20
5804 Mait La.	196	12
5800 Mait La.	141	21

* Distance scaled from Hennepin County maps

° 5805 Mait La. is in 3 parcels.

NOTE: 14 & 15 are tied for the median. We used the higher number 14 to be conservative.

MS

PLANNING DEPARTMENT
AUG 08 2013
CITY OF EDINA

GRONBERG & ASSOCIATES, INC.

SURVEYING, ENGINEERING AND LAND PLANNING

445 N. WILLOW DRIVE

LONG LAKE, MINNESOTA 55356

952-473-4141

FAX: 952-473-4435

5 MERILANE
H. D. WARNER ESTATE
MEDIAN LOT DEPTH WITHIN 500'
JULY 31, 2013

<u>ADDRESS</u>	<u>LOT DEPTH* FT ±</u>	<u>RANK</u>
8 Merilane	922	1
7 Merilane	340	6
6 Merilane	321	7
4 Merilane	293	10
2 Merilane	612	2
4600 Merilane	537	5
4602 Merilane	558	4
4603 Merilane	148	27
4604 Merilane	168	24
4608 Merilane	165	25
4612 Merilane	173	22
4616 Merilane	271	16
4700 Merilane	318	8
4704 Merilane	172	23
4708 Merilane	265	17
4733 Annaway Dr.	290	11
4729 Annaway Dr.	230	18
4725 Annaway Dr.	205	19
4715 Annaway Dr.	280	13
4705 Annaway Dr.	300	9
4701 Annaway Dr.	286	12
4605 Annaway Dr.	275	15
4602 Annaway Dr.	118	28
4601 Annaway Dr.	188	20
5808 Mait La.	277	14 Median
5805 Mait La.°	588	3
5804 Mait La.	183	21
5800 Mait La.	154	26

* scaled from Hennepin County half section maps

° 5805 Mait La. is in 3 parcels.

NOTE: 14 & 15 are tied for the median. We used the higher number 14 to be conservative.

A9

PLANNING DEPARTMENT
AUG 08 2013
CITY OF EDINA
file

GRONBERG & ASSOCIATES, INC.

SURVEYING, ENGINEERING AND LAND PLANNING

445 N. WILLOW DRIVE

LONG LAKE, MINNESOTA 55356

952-473-4141

FAX: 952-473-4435

5 MERILANE
H. D. WARNER ESTATE
JULY 31, 2013
MEAN LOT AREA, DEPTH & WIDTH
OF LOTS WITHIN 500'

1. Mean lot area
Total of 28 parcels = $2,054,181 \div 28 = 73,364$ S.F.
2. Mean lot depth
Total of 28 parcels = $8637 \div 28 = 308$ Ft.
3. Mean lot width
Total of 28 parcels = $5432 \div 28 = 194$ Ft.

A10

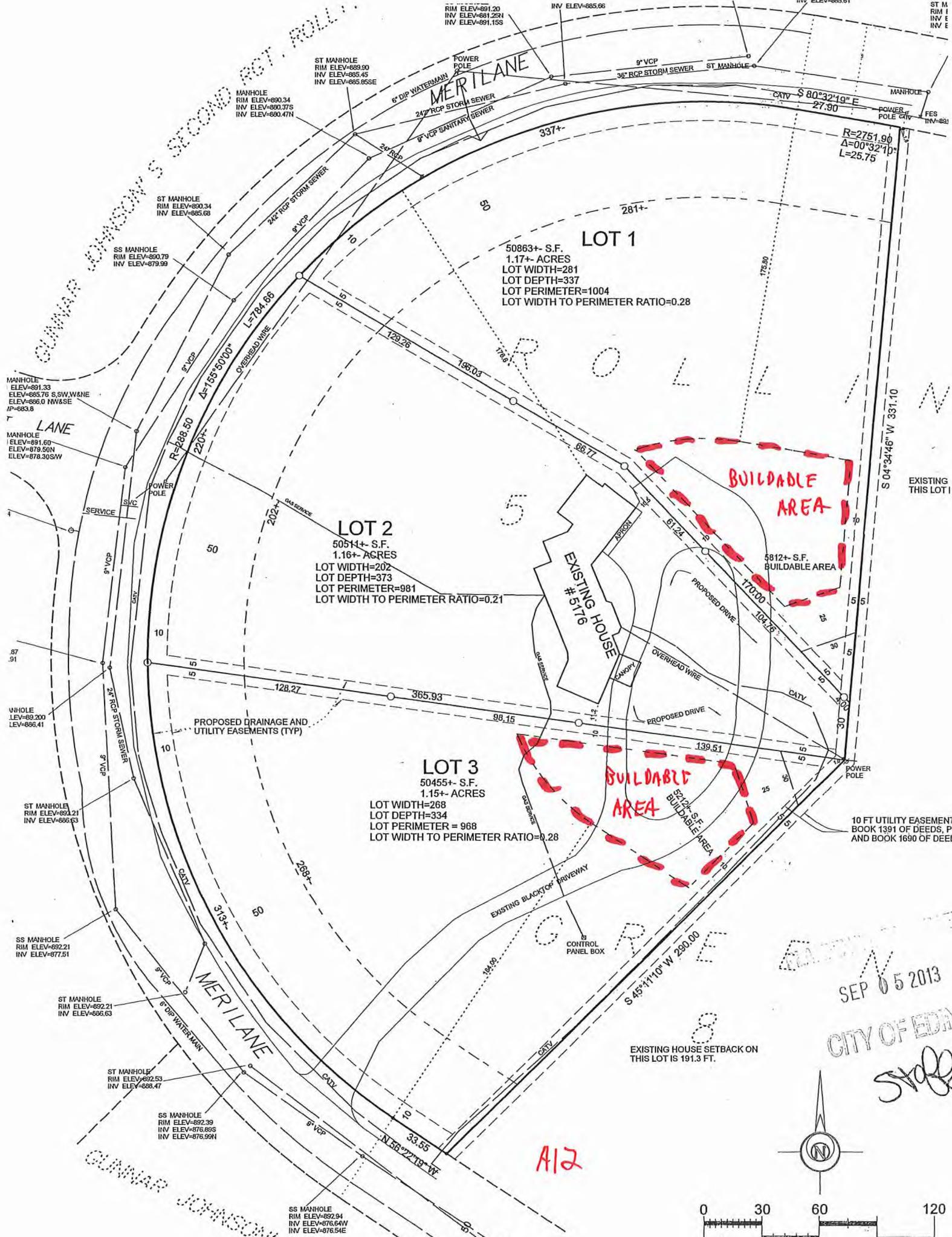
for
PLANNING DEPARTMENT
AUG 08 2013
CITY OF EDINA

PROPERTY OWNERS ADDRESSES, NAMES & LEGAL DESCRIPTIONS
 WITHIN 500 FEET OF 5 MERILANE (FROM HENN. CO. PROPERTY TAX RECORDS)
 H. D. WARNER ESTATE
 JULY 31, 2013

efg
 CITY OF ENOLA
 AUG 8 2013
 PLANNING DEPARTMENT

<u>ADDRESS</u>	<u>NAME</u>	<u>LEGAL DESCRIPTION</u>
8 Merilane	Marion Short	Part of Lot 8, Rolling Green
7 Merilane	Mary Ingebrand-Pohlad	Part of Lot 8, Rolling Green
6 Merilane	Michael & Sandra Genau	West ½ of Lot 6, Rolling Green
4 Merilane	David & Lynn Evinger	Lot 1, Bl. 1, Replat of Part Of Lot 6, Rolling Green
2 Merilane	George & Linda Sherman	Part of Lot 7, Rolling Green
4600 Merilane	Laurene Meger	Lot 3, Bl. 1, Wallings Add. 1 st Replat
4602 Merilane	Charlotte Ketcham	Lot 2, Bl. 1, Wallings Add. 1 st Replat
4603 Merilane	William Riley	Lot 1, Bl. 1, Wallings Add. 1 st Replat
4604 Merilane	Mark & Hedwig Holmberg	Lot 12, Bl. 1, Gunnar Johnsons 2 nd Rgt Rolling Green
4608 Merilane	Robert Perry	Lot 11, Bl. 1, Gunnar Johnsons 2 nd Rgt Rolling Green
4612 Merilane	John Raskind & Katherine Kendall	Lot 10, Bl. 1, Gunnar Johnsons 2 nd Rgt Rolling Green
4616 Merilane	Jane Hulbert	Lot 9, Bl. 1, Gunnar Johnsons 2 nd Rgt Rolling Green
4700 Merilane	Scott & Tiffany Stuart	Part of Lot 60 & 60A, Rolling Green Sec. 2 & Lot 1, Bl. 1 Gunnar Johnsons Rgt Rolling Green
4704 Merilane	James & Katheryn Ganley	Part of Lot 60A, Rolling Green Sec. 2 & Lot 1, Bl. 1, Gunnar Johnsons Rgt Rolling Green
4708 Merilane	James Lopesio	Lot 2, Bl. 1, Gunnar Johnsons Rgt Rolling Green
4733 Annaway Dr.	David & Ann Wichmann	Lot 3, Bl. 1, Gunnar Johnsons Rgt Rolling Green
4729 Annaway Dr.	Frank Gougeon	Lot 4, Bl. 1, Gunnar Johnsons Rgt Rolling Green
4725 Annaway Dr.	Scott & Jennifer Gill	Lot 5, Bl. 1, Gunnar Johnsons Rgt Rolling Green
4715 Annaway Dr.	Sheila Walsh	Lot 52, Rolling Green Sec. 2
4705 Annaway Dr.	Octavio & Jody Portu Jr.	Lot 53, Rolling Green Sec. 2
4701 Annaway Dr.	David & Patricia Murphy	Lot 54, Rolling Green Sec. 2
4605 Annaway Dr.	Larry & Terrie Rose	Lot 5, Bl. 1, Gunnar Johnsons 2 nd Rgt Rolling Green
4602 Annaway Dr.	John Otterlei	Part of Lot 3, Bl. 1, Gunnar Johnsons 2 nd Rgt Rolling Green
4601 Annaway Dr.	Stephen & Susann Stenbeck	Lot 4 & Part of Lot 3, Bl. 1, Gunnar Johnsons 2 nd Rgt Rolling Green
5808 Mait La.	Jeffrey & Olivia Hornig	Lot 6, Bl. 1, Gunnar Johnsons 2 nd Rgt Rolling Green
5805 Mait La.	R. J. Sheehy & A. Kmetz-Sheehy	Lot 59, Rolling Gunnar Johnsons 2 nd Rgt Rolling Green
5804 Mait La.	Patricia Maloney	Lot 7, Bl. 1, Gunnar Johnson 2 nd Rgt Rolling Green
5800 Mait La.	Howell & Carrie McCullough	Lot 8, Bl. 1, Gunnar Johnsons 2 nd Rgt Rolling Green

AM



LOT 1
 50863+ S.F.
 1.17+ ACRES
 LOT WIDTH=281
 LOT DEPTH=337
 LOT PERIMETER=1004
 LOT WIDTH TO PERIMETER RATIO=0.28

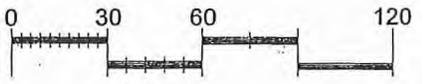
LOT 2
 50514+ S.F.
 1.16+ ACRES
 LOT WIDTH=202
 LOT DEPTH=373
 LOT PERIMETER=981
 LOT WIDTH TO PERIMETER RATIO=0.21

LOT 3
 50455+ S.F.
 1.15+ ACRES
 LOT WIDTH=268
 LOT DEPTH=334
 LOT PERIMETER = 968
 LOT WIDTH TO PERIMETER RATIO=0.28

BUILDABLE AREA

BUILDABLE AREA

SEP 05 2013
 CITY OF EDI
Staff



A12

EXISTING HOUSE SETBACK ON THIS LOT IS 191.3 FT.

10 FT UTILITY EASEMENT BOOK 1391 OF DEEDS, P AND BOOK 1690 OF DEED

EXISTING THIS LOT

ST M
 INV E
 INV E

MANHOLE
 ELEV=891.33
 ELEV=885.75 S,SW,W&NE
 ELEV=886.0 HW&SE
 IF=883.8

WHOLE
 LEV=889.200
 LEV=886.41

ST MANHOLE
 RIM ELEV=892.21
 INV ELEV=886.63

SS MANHOLE
 RIM ELEV=892.21
 INV ELEV=877.51

ST MANHOLE
 RIM ELEV=892.21
 INV ELEV=886.63

ST MANHOLE
 RIM ELEV=892.53
 INV ELEV=888.47

SS MANHOLE
 RIM ELEV=892.99
 INV ELEV=876.88S
 INV ELEV=876.99N

SS MANHOLE
 RIM ELEV=892.94
 INV ELEV=876.64W
 INV ELEV=876.54E

ST MANHOLE
 RIM ELEV=889.90
 INV ELEV=885.45
 INV ELEV=885.93SE

MANHOLE
 RIM ELEV=890.34
 INV ELEV=890.37S
 INV ELEV=890.47N

ST MANHOLE
 RIM ELEV=890.34
 INV ELEV=885.68

SS MANHOLE
 RIM ELEV=890.79
 INV ELEV=879.99

RIM ELEV=891.20
 INV ELEV=891.22N
 INV ELEV=891.15S

INV ELEV=885.66

INV ELEV=890.01

ST M
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ST MANHOLE

MANHOLE
 INV=890

CATV S 80°32'19" E
 27.90

R=2751.90
 Δ=00°32'19"
 L=25.75

Δ=135°50'00"
 L=1784.88

R=288.50
 220'

202'

365.93

98.15

139.51

313'

N 36°22'19" W
 33.55

S 45°11'10" W 200.00

S 04°34'46" W 337.10

GARDNER

GARDNER

MERILANE

ROLLIN

GARDNER

ROLLIN

EXISTING THIS LOT

10 FT UTILITY EASEMENT

EXISTING HOUSE SETBACK

ST M
 INV E
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EXISTING THIS LOT

10 FT UTILITY EASEMENT

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EXISTING THIS LOT

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10 FT UTILITY EASEMENT

EXISTING HOUSE SETBACK

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EXISTING HOUSE SETBACK

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10 FT UTILITY EASEMENT

EXISTING HOUSE SETBACK

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10 FT UTILITY EASEMENT

EXISTING HOUSE SETBACK

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EXISTING THIS LOT

10 FT UTILITY EASEMENT

EXISTING HOUSE SETBACK

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ROLLIN

EXISTING THIS LOT

10 FT UTILITY EASEMENT

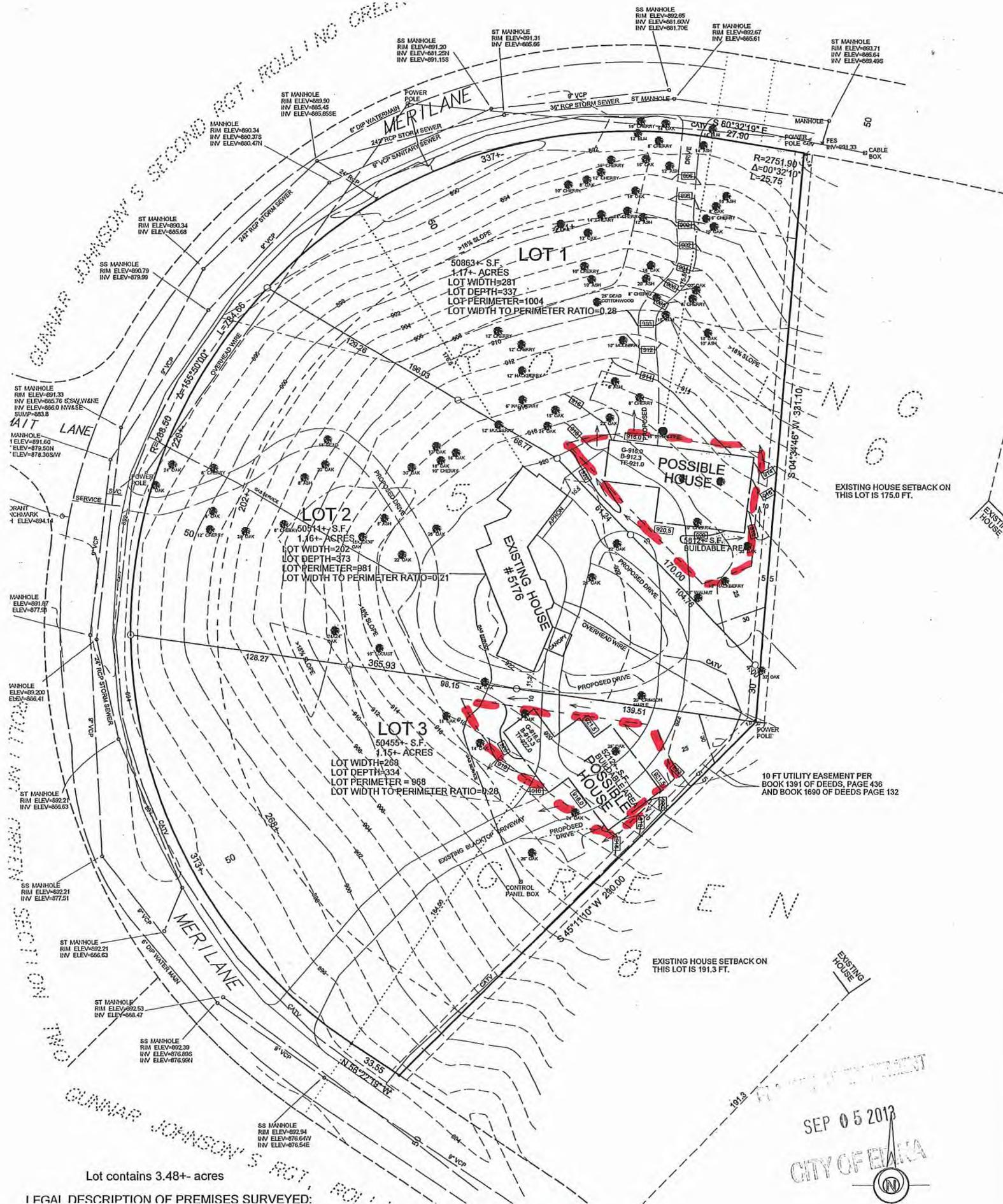
EXISTING HOUSE SETBACK

ST M
 INV E
 INV E

LANE

GARDNER

GARDNER



LOT 1
 50863+ S.F.
 1.17+ ACRES
 LOT WIDTH=337
 LOT PERIMETER=1004
 LOT WIDTH TO PERIMETER RATIO=0.28

LOT 2
 50914+ S.F.
 1.16+ ACRES
 LOT WIDTH=202
 LOT DEPTH=373
 LOT PERIMETER=981
 LOT WIDTH TO PERIMETER RATIO=0.21

LOT 3
 50455+ S.F.
 1.15+ ACRES
 LOT WIDTH=208
 LOT DEPTH=334
 LOT PERIMETER = 968
 LOT WIDTH TO PERIMETER RATIO=0.28

POSSIBLE HOUSE

EXISTING HOUSE #5176

POSSIBLE HOUSE #5176

EXISTING HOUSE SETBACK ON THIS LOT IS 175.0 FT.

10 FT UTILITY EASEMENT PER BOOK 1391 OF DEEDS, PAGE 436 AND BOOK 1690 OF DEEDS PAGE 132

EXISTING HOUSE SETBACK ON THIS LOT IS 191.3 FT.

Lot contains 3.48+- acres
 I FGAJ DESCRIPTION OF PREMISES SURVEYED:

113

SEP 05 2013
 CITY OF ELLA



Jackie Hoogenakker

From: Jennifer Rowland <jenniferrowland@comcast.net>
Sent: Wednesday, September 25, 2013 9:14 AM
To: Jackie Hoogenakker
Cc: Edina Mail; Mary Brindle (Comcast); joshsprague@edinarealty.com; swensonann1@gmail.com
Subject: Re: Proposed Blackfoot Pass Lot Subdivision

> To the Edina Planning Commission and City Council Members,

>

> I am writing on behalf of my husband David Rowland and myself to address a proposed subdivision of a recently purchased lot on Blackfoot Pass in the Indian hills neighborhood in which we reside. We have lived in two homes in Edina for most of the past 21 years and we have enjoyed both homes for their unique qualities. Our first home was at 5003 Arden Avenue in the Brucewood neighborhood of Edina. We enjoyed the many amenities of living in close proximity to 50th & France and Arden Park as our children grew up. Our second home in Edina is located at 6605 Dakota Trail. This property includes a second parcel, 6601 Dakota Trail which the previous owners had purchased and combined to create an even larger property in the beautiful Indian Hills neighborhood. We chose this home after learning more about the west side of Edina and came to appreciate the larger lots, beautiful trees and more country-like feel. Although we moved out of the east side of Edina, we had come to learn that the features of the Indian Hills neighborhood met our needs and desires for our current phase of life.

>

> The neighborhood diversity in Edina makes it a stronger community. The distinct characteristics of each neighborhood allows Edina to meet the needs of a variety of people with a variety of needs and desires. The proposed subdivision is inconsistent with the unique characteristics provided in the Indian Hills neighborhood. It would be a mistake to allow this sort of transformation to occur, and it would weaken an important strength of the city of Edina.

>

> Thank you for the consideration of our perspective in this matter.

>

> David and Jennifer Rowland

> 6605 & 6601 Dakota Trail

> Edina, Mn 55439

>

>

Jackie Hoogenakker

From: Alvina Janda <alvinajanda@gmail.com>
Sent: Sunday, September 22, 2013 11:23 PM
To: Jackie Hoogenakker
Cc: mgenau78@gmail.com
Subject: Lot 5 Rolling Green Proposed subdivision

To the Edina City Council Members

Dear Council Members,

As an Edina resident of the Rolling Green Neighborhood, my husband and I have resided at 4603 Merilane for 28 years. I am writing to give you feedback on the proposed Warner subdivision at 5 Merilane. I believe I speak with knowledge of the community of Rolling Green.

The Warner property is a beautiful piece of wooded hilly land with several wetlands at it's base along Merilane. While a 3.48 acre piece of property would seem adequate for 3 homes with just over 1 acre of property each, the nature of the property and existing surrounding homes that dictate set back create an artificial and "forced" crowding of 3 houses at the apex of a pie shaped lot. There is no other area in Rolling Green where 5 homes (the 3 proposed on the Warner property and the Genau and Pollad properties that surround it) would be placed so tightly together. The proposed new homesites would lack a true back yard. No doubt they would be large, 2+ story homes and create significant shadows on their neighbors' yards and homes. Any attempt to plant tall shrubs or bushes as a buffer would only partially screen the imposing structures. No matter how beautiful the home or landscaping, one cannot escape the crowding effect this would have. It will adversely impact the property value of the immediate neighbors on either side. The wetlands at the base of the Warner lot will likely be eliminated as we have seen occur on other recent nearby new homesites.

The ambiance of the Rolling Green neighborhood has been one of openness, and space. It has never been and we hope, will never become, with all due respect, a "Country Club" of Edina. The space between homes in Rolling Green is uniquely what distinguishes this area. I would strongly urge you to maintain the appearance of the neighborhood all of us "bought into" when we chose Rolling Green over other areas. The Edina City Council has an obligation to look at more than just "legalities" when reviewing this type of request for subdivision. There is the need to look at "context" and fairness to the neighbors.

Thank you for your time.

Respectfully,
Alvina M. Janda, MD
4603 Merilane
Edina MN 55436
alvina.janda@gmail.com

Sent from my iPad

Cary Teague
Community Development Director
City of Edina

September 10th, 2013

Dear Cary:

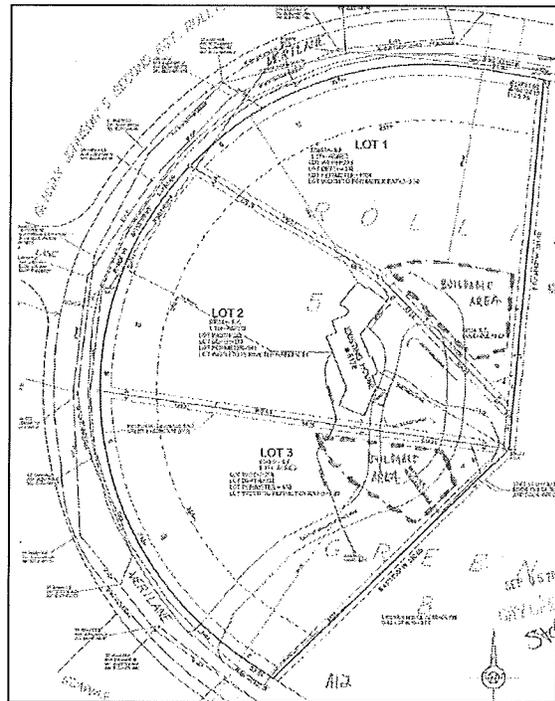
I am writing to submit feedback on the proposed subdivision of 5 Merilane. Our family lives a short distance away from the site. Unfortunately I have to be out of town on business during the planning commission meeting on September 11th, but I wanted to make sure my perspective (shared by several neighbors) was presented to the commission as part of that meeting.

While it may appear that the subdivision complies with current city ordinances, I believe it is important for the planning commission and the city council to take into account the very first element of land use in the Edina comprehensive plan: "Protect and preserve the essential character of existing residential neighborhoods."

In reality, this subdivision proposal is a request to build three 6,000+ sq.ft. (or likely much larger) homes on roughly an acre of property - right at the "center of the pizza," if you will, that is defined by the setback on the current lot - so about 1/3 acre per home (see figure to the right, from proposal).

While the total lot sizes may meet the mean requirements, the actual housing density in the proposal is much higher than anywhere else in the neighborhood. I believe this implied density needs to be considered as part of the subdivision application. I would encourage any commission members that have not done so to visit the lot to really understand what the illustration to the right will look like in practice versus the surrounding area.

It seems that a reasonable outcome would be a subdivision into two lots, allowing the owner to reap the substantial value increase of the land and reflecting the changing lot size dynamics within the neighborhood - while staying aligned with the comprehensive plan for Edina.



Regards,

Scott Gill
4725 Annaway Drive



Cary Teague, Community Development Director
 952-826-0460 | Fax 952-826-0389 | Cell 952-826-0236
cteague@EdinaMN.gov | www.EdinaMN.gov/Planning
 ...For Living, Learning, Raising Families & Doing Business

~~CONFIDENTIAL~~
~~Merilane~~

From: Scott Gill [<mailto:Scott.Gill@milestone.com>]
Sent: Monday, September 09, 2013 2:02 PM
To: Cary Teague
Subject: 5 Merilane Subdivision Proposal Feedback Process

Cary-

Hello, my name is Scott Gill and I live near the proposed subdivision of 5 Merilane in Edina. I was wondering if there is an opportunity for neighbor comments at the Wednesday planning commission meeting, or if it is simply the presentation of the proposal by the owner's representative?

My assessment of the subdivision is that it is really a request to build (3) likely 6,000+ sq.ft. (or even much bigger) homes on about an acre of property - the "center of the pizza", if you will, that is defined by the setback - so roughly 1/3 acre per home. While the total lot sizes may meet the mean requirements, the actual density of the proposal is much higher than anywhere else within the neighborhood. I believe this very high implied density needs to be considered as part of the subdivision application.

I'd appreciate any insight into the commission meeting process so I can make sure I provide my feedback through the appropriate channels.

Best Regards,

Scott

Scott Gill
 Chief Executive Officer
 Milestone AV Technologies
scott.gill@milestone.com
 +1.952.225.6860



Home of
 The City of Edina's Planning Department

Jackie Hoogenakker

From: Mark Holmberg <mark.holmberg@comcast.net>
Sent: Tuesday, September 10, 2013 4:20 PM
To: Jackie Hoogenakker
Subject: Proposed Subdivision of 5 Merilane, Edina

Edina City Council

Edina Planning Commission

Re: Proposed Subdivision of 5 Merilane, Edina

My husband and I have lived in the Rolling Green neighborhood at 4604 Merilane for 21 years and chose this neighborhood because of the large lots; it is like living in the country but having the amenities that only the community of Edina can provide.

We have seen the proposed subdivision of 5 Merilane into three lots and the proposed placement of the homes on these three building sites. If three homes were to be built on these pie-shaped lots they would have to be crowded together at the back of each property to satisfy the setback requirements; this would destroy the character of the Rolling Green neighborhood and impact on the property values of the neighbors. Already Rolling Green is beginning to look like the Country Club neighborhood on steroids.

John Adams stated in a letter that the lot can be subdivided into three lots without a variance, and if that is accurate, then the neighbors will have to accept that. However, should the future owners of these lots and their builders request a variance of the set back requirements or any lot line variances we will oppose those requests.

Rolling Green is a beautiful neighborhood and I ask you to please preserve its unique character and charm by not allowing the subdivision of this property into three lots.

Thank you,

Hedy and Mark Holmberg

4604 Merilane

Edina, MN 55436

Neighbors to 5 Merilane

Re: Proposed Subdivision of the Warner Estate

I am in receipt of an email sent to you Thursday afternoon, September 5, 2013 by Sandi Genau, one of 2 neighbors that abut the Warner property. There was some misinformation in that email that I would like to clarify.

First, it was stated that Kraemer & Sons have already purchased two lots and suggested that was “a little presumptuous” given that the City hasn’t yet approved the proposed subdivision. To be clear, we do have executed contracts with John Kraemer & Sons to buy 2 of the 3 proposed lots, however, both of those contracts are contingent upon receiving plat approval from the City of Edina. Such “pre-sale” of lots on contingent contracts is ordinary. That is not to say, however, that we are unsure of whether the proposed plat complies with city ordinances. Our proposed subdivision was carefully planned to comply with all of the ordinances of the City of Edina and we have worked closely with the City Staff to satisfy the City’s protocols in processing the subdivision application.

Secondly, Ms. Genau implied in her email that we are seeking a 10’ side yard setback in order to “squeeze” in 3 houses. In fact, the side yard setback of 10’ is set by city code and applies throughout Rolling Green. It would apply to the Warner property (including the boundary shared with the Genau’s) regardless if it was a 2 lot subdivision or a 3 lot subdivision. That having been said, we believe that homes can be well placed on the 3 lots so as not to appear “squeezed” onto the property. We selected John Kraemer & Sons as the builder to develop the homes on this property because of his long standing, impeccable reputation in the community. He is mindful of the neighbors’ concerns and expects to work with them in regard to the placement of the homes. We believe he is a quite capable builder, well suited to accomplish this. In fact, Mary Pohlad, the neighbor on the other side, stated to me if she was going to build a home for herself, it would be with John Kraemer & Sons because of their reputation. We are confident that he will do a very nice job.

Also, please be aware that I have had a conversation with Sandi Genau in which she indicated that she would support our subdivision if we encouraged the buyer of lot 1 (adjacent to her) to seek permission from the City to move a new home further away

from her – closer to the street. This would have the effect of increasing the distance between that home and her lot. I discussed this with Gary Kraemer who agreed that this would only make sense for all parties concerned to give more privacy to everybody. Upon securing an end user for lot 1, Gary is very receptive to working with the Genau's to give both parties maximum privacy, through both home placement and screening.

The Warners have lived at 5 Merilane for almost 50 years. They have seen many changes in Rolling Green in that time, including other subdivisions, homes torn down and new very large homes built. Those subdivisions on which some of your homes are built were allowed because the City of Edina ordinances permitted them. Similarly, Warner's proposed subdivision is legally permitted by the current city ordinances and, we think, is in keeping with the neighborhood standards. For example, one of the ordinances requires lot sizes larger than the median lot size within 500' of the property. Our lots are larger and satisfy that requirement.

The Warners have the same right as other property owners before them to subdivide their property in compliance of the City's ordinances. The proposed subdivision complies with the City's ordinances. It does not require any variances from the code. When the time comes to build new homes on lots 1 and 3, John Kraemer & Sons will work with the adjacent property owners and the City to provide appropriate home placement and mutually beneficial screening to maximize privacy for all parties. So suffice to say, we, too, hope to maintain the beautiful aesthetic of the neighborhood.

I would ask that you acknowledge the Warner family's long standing presence in the community by supporting their subdivision request.

Gary Kraemer, with John Kraemer & Sons, and I met with Sandi Genau today for 2.5 hours in an attempt to address her concerns. I think we made some progress in a positive direction.

Please feel free to call me if you have any questions at 612.720.4827.

John Adams