

City Hall • Phone 952-927-8861
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Date: January 9, 2013

To: Planning Commission

From: Cary Teague, Community Development Director

Re: Zoning Ordinance Amendments – Residential Development (History of “Massing” Issue since 2006)

Over the past six years the City of Edina has studied and attempted to address the issue of smaller single-family homes being replaced by much larger single-family homes. Edina has referred to the issue as the “Massing” of single family homes; other communities have called it McMansions replacing smaller homes.

The following is a summary and history of what the City has done to address this issue over the past six years.

Also attached is a comparison of Edina’s Zoning Ordinance regulations to surrounding cities; and examples of recent homes built on 40-foot, 50-foot and 75+ foot wide lots that have been maxed to the City’s Zoning Ordinance regulations.

August 2006 – A Massing Study was completed. The complete study can be found on the city’s website at: http://www.ci.edina.mn.us/Departments/L4_MassingTaskforce.htm
A Citizen Massing Task Force was created to assist with the study. The study concluded that the new large homes being constructed generally fit into their neighborhoods. There may be a few exceptions. Minor changes to the Zoning Ordinance were recommended.

November 2006 – The Planning Commission considered the Massing study. (See attached minutes.)

January 2007 – Council work session on Massing. Three changes are considered by the City Council to address the massing issue:

1. Measure height from existing grade, rather than proposed grade. A noted problem was new homes being built on fill that seem to tower over adjacent homes.
2. Increase side yard setbacks on lots 60-75 feet wide. This would reduce building mass from the street. The problem of big homes tended to be on smaller lots.



3. No more bay window setback exceptions. The City was experiencing two level bay windows being created to extend into required setbacks.

March 2007 – Planning Commission review of three (3) Zoning Ordinance changes recommended by the City Council at the January work session. (See attached minutes.)

June 2007 – City Council considered and approved the three changes.

1. No more bay window setback exceptions.
2. The increase in side yard setbacks. (Implementing a sliding scale based on lot width increasing the separation between houses on lots that are between 61-75 feet in width). The required interior yard setback of 5 feet shall increase by 1/3 foot (4 inches) for each foot that the lot width exceeds 60 feet.
3. Restriction of the first floor elevation for new homes. (The lowest floor elevation of the new home may not be more than one-foot above the lowest floor elevation of the home that was torn down).

The height issue was continued for further discussion. The Council asked that the Massing Task Force meet to consider the height issue.

July – Sept. 2007 – the Massing Task Force re-convenes to look at the height issue. The following recommendations are made:

1. Building height should be measured from existing rather than proposed grade.
2. The first floor elevation of a new home should not exceed the first floor elevation of the previous home by more than one-foot. This is to ensure street level consistency of homes.

October 2007 – The City Council supports the recommendation of the Massing Task Force.

October 2007 – The City Council refers the Massing Task Force recommendation to the Planning Commission.

November 2007 – The City Council approves the Ordinance changes as recommended by the Massing Task Force and Planning Commission. As a result of a tear down and rebuild on Oaklawn in the South Harriet Park Neighborhood the City Council directed staff to further consider creating regulations to be more restrictive, and directed staff to prepare a moratorium ordinance that would prohibit the demolition of single-family dwellings in Edina.

December 2007 – The City Council does not adopt a moratorium to prevent homes from being torn down. The Council directs staff to draft an ordinance that further restricts the size of large new homes.



January 2008 – Staff hired the Collaborative Design Group to assist in preparing some 3D modeling to visually demonstrate proposed Ordinance Changes.

February 2008 – Staff drafted an Ordinance for the City Council to consider that established a maximum Floor Area Ratio (FAR) based on lot width. The maximum proposed was between 40-50% depending on the width of the lot. Examples of enforcement of the Ordinance were run in several Edina Neighborhoods. Council referred the Ordinance to the Planning Commission for review.

March/April 2008 – The Planning Commission recommended denial of the Ordinance regarding FAR, and approval of a maximum height to the highest point of a roof of 35-40 feet depending on the width of a lot. The Planning Commission recommended denial of the Code change on FAR, and recommended, further study of the use of FAR in a vicinity manner and/or the use of FAR as part of character districts in a future rezoning of all homes in Edina. (See attached minutes.)

June 2008 – The City Council denied the proposed use of FAR, **but approved the maximum height to the top of a home (35-40 feet maximum)**. *There was not maximum height to the top of a home previously.* (See attached minutes.)

Surrounding City vs. Edina Zoning Ordinance Comparison

<u>Ordinance Provision</u>	<u>Edina</u>	<u>Minneapolis</u>	<u>St. Louis Park*</u>	<u>Hopkins</u>	<u>Bloomington</u>	<u>Wayzata</u>	<u>Richfield</u>
Height	30 feet (midpoint of pitched roof)	30 feet (midpoint of pitched roof)	30 feet (midpoint of pitched roof)	35 feet (midpoint of pitched roof)	19-40 feet depending on setback	30 feet (midpoint of pitched roof)	35 feet (midpoint of pitched roof)
Front Setback	Avg. front setback of homes on either side	25 feet	25-30 feet or closest wall to street whichever greater	30 feet	30 feet or prevailing setback of neighborhood	20 feet	30 feet
Side Setback	5-10 feet depending on lot width. Setback must be increased based on height	5 feet (R-1) 6 feet (R-1A) no matter the height	7 feet on one side and 5 feet on the other (2 feet detached garage)	8 feet	10 feet (5 feet detached garage)	10 feet	5 feet
Building Coverage	25% - lot over 9,000 s.f. 30% - lot under 9,000 s.f.	50%	35%	35%	None	30%	35%
Impervious Surface	None	65%	None	None	35%	35%	45%
Floor Area Ratio	None	50% (with some exceptions)	None	None	None	None	None
Minimum Lot Size	9,000 s.f. (or median lot size of neighborhood)	5,000 s.f. (R-1A) 6,000 s.f. (R-1)	7,200 s.f.	6,000 & 8,000 s.f.	11,000 s.f.	9,000 s.f.	6,700 s.f.
Minimum Lot Width	75 feet	50 feet	60 feet	50 & 60 feet	80 feet	60 feet	50 feet

* A single-family home which legally exists on or before the date of the ordinance may be expanded by an addition or dormer, provided the addition does not extend into the existing side yard.

Survey of Cities

Single-family residential home & lot standards

Apple Valley

Zoning	R-5	R-2	R-3
Min. lot area	15,000	18,000	11,000
Min. front setback	30'	30'	30'
Min. side setback	10' (5' detached garage)	10' (20' detached garage)	10' (10' detached garage)
Min. rear setback	30' (10' detached garage)	30' (10' detached garage)	30' (10' detached garage)
Max. building height*	*35'	*35'	*35'
FAR	None	None	None
Max. building coverage	None	None	None
Max. impervious surface	None	None	None

* Measured from the first above-grade, habitable floor to the highest point of a flat roof, or the highest gable of a pitched roof. (Top of pitched roof)

Blaine

Zoning	R-1	R-1A	R-1AA
Min. lot area	10,000	12,150	10,800
Min. front setback	30'	35'	30'
Min. side setback	10' (5' detached garage)	10' (5' detached garage)	10' (5' detached garage)
Min. rear setback	30' (5' detached garage)	35' (5' detached garage)	30' (5' detached garage)
Max. building height*	*30'	*35'	*30'
FAR	None	None	None
Max. building coverage	None	None	None
Max. impervious surface	None	None	None

* Measured from the grade of the building to the cornice of a flat roof and the mean distance of the highest gable on a pitched or hip roof. (Mid point of pitched roof)

Bloomington

Zoning	R-1	RS-1
Min. lot area	11,000	33,000
Min. front setback*	*30'	*25'
Min. side setback	10' (5' detached garage)	10' (5' detached garage)
Min. rear setback	30' (10' detached garage)	30' (10' detached garage)
Max. building height**	**19-40 feet depending on setback (2-story limit)	**19-40 feet depending on setback (2-story limit)
FAR	None	None
Max. building coverage	None	None
Max. impervious surface	35%	35%

* Or the prevailing setback of the neighborhood as determined by staff.

** Measured from the lowest existing ground elevation prior to construction that is immediately adjacent to the structure to the highest point on any part of the structure, including rooftop equipment. (Top of pitched roof)

Burnsville

Zoning	R-1
Min. lot area	10,000
Min. front setback	30'
Min. side setback	10' (5' detached garage)
Min. rear setback	30' (8' detached garage)
Max. building height*	30'*
FAR	None
Max. building coverage	None
Max. impervious surface	None

* Measured from the average elevation of the adjoining ground level to the top of a flat roof and the mean distance of the highest gable on a pitched roof. (Mid-point of pitched roof)

Eagan

Zoning	R-1	R-1S
Min. lot area	12,000	8,000
Min. front setback	30'	30'
Min. side setback	10' (5' detached garage)	6' (5' detached garage)
Min. rear setback	15' (5' detached garage)	15' (5' detached garage)
Max. height*	35'*	35'*
FAR	None	None
Max. building coverage	20%	25%
Max. impervious surface	None	None

* Measured from the average elevation of the highest and lowest points within a five foot horizontal distance from the exterior building foundation to the highest point of a flat roof, or the average height of the highest gable of a pitched or hipped roof. (Mid-point of pitched roof, from average elevation.)

Eden Prairie

Zoning	R1-22	R1-13.5	R1-9.5
Min. lot area	22,000	13,500	9,500
Min. front setback	30'	30'	30'
Min. side setback	15' (10' detached garage)	10' (10' detached garage)	5' (5' detached garage)
Max. building height*	*40' (10' detached garage)	*40' (10' detached garage)	*40' (5' detached garage)
FAR	None	None	None
Max. building coverage	None	None	None
Max. Impervious surface	None	None	None

* Measured to the mid point of the highest pitch of the roof. Measurement is from the highest grade. If grade drops more than 10 feet, the measurement is taken from the lowest grade, and 10 feet is added to the 40-foot requirement. (Mid-point of pitched roof)

Edina

Zoning	R-1
Min. lot area	9,000
Min. front setback	Avg. Distance of homes on either side
Min. side setback	10' (3' detached garage) 5' if lot is less than 75' wide
Min. rear setback	25' (3' detached garage)
Max. building height*	30'*
FAR	None
Max. building coverage	25% 30% if lot is less than 9,000 square feet
Max. Impervious surface	None

* Measured to the mid point of the highest pitch of the roof. Measurement is from the front or street elevation.

Hopkins

Zoning	R-1A	R-1B	R-1c
Min. lot area	6,000	8,000	12,000
Min. front setback	25'	30'	30'
Min. side setback	1 story = 8 feet 2 story = 8 feet 3 story = 10 feet	1 story = 8 feet 2 story = 8 feet 3 story = 10 feet	1 story = 10 feet 2 story = 12 feet 3 story = 14 feet
Min. rear setback	25'	30'	35'
Max. building height*	35'*	35'*	35'*
FAR	None	None	None
Max. building coverage	35%	35%	35%
Max. impervious surface	None	None	None

* Measured to the mid point of the highest pitch of the roof. Measurement is from the average front or street elevation.

Lakeville

Zoning	RS-1	RS-2	RS-3	RS-4
Min. lot area	20,000	15,000	11,000	8,400
Min. front setback	30'	30'	30'	20'
Min. side setback	15'	15'	10'	7'
Min. rear setback	30'	30'	30'	30'
Max. building height*	35'*	35'*	35'*	25'*
FAR	None	None	None	None
Max. building coverage	None	None	None	None
Max. impervious surface	None	None	None	None

* Measured from the mean ground level to the top of a flat roof, to the mean distance of the highest gable on a pitched or hip roof. (Mid-point of pitched roof)

Maple Grove

Zoning	R-1	R-2	R-2B
Min. lot area	20,000	10,000	10,000
Min. front setback	35'	25'	25'
Min. side setback	5' (30' aggregate)	5' (15' aggregate)	5' (15' aggregate)
Min. rear setback	30'	30'	30'
Max. building height*	35'*	35'*	35'*
FAR	None	None	None
Max. building coverage	None	None	None
Max. impervious surface	None	None	None

* Measured from the mean ground level to the top of a flat roof, to the mean distance of the highest gable of a pitched or hip roof, to the deck line of a mansard roof, or to the uppermost point on all other roof types. (Mid-point of pitched roof, from average elevation.)

Minnnetonka

Zoning	R-1	R-2
Min. lot area	22,000	15,000
Min. front setback	35'	35'
Min. side setback	15' (15' detached garage)	15' (15' detached garage)
Min. rear setback	40' (15' detached garage)	40' (15' detached garage)
Max. building height*	35'*	35'*
FAR	None	None
Max. building coverage	None	None
Max. Impervious surface	None	None

* Measured to the mid point of the highest pitch of the roof. Measurement is from the highest grade. If grade drops more than 10 feet, the measurement is taken from the lowest grade, and 10 feet is added to the 35-foot requirement. (Mid-point of pitched roof.)

New Brighton

Zoning	R-1
Min. lot area	10,000
Min. front setback	30'
Min. side setback	5'
Min. rear setback	5'
Max. building height*	30'*
FAR	None
Max. building coverage	30%
Max. Impervious surface	50%

* Measured from grade to the highest point of a flat roof, or to the average height of the highest gable of a pitched or hipped roof. (Mid-point of pitched roof.)

Plymouth

Zoning	RSF-1	RSF-2	RSF-3
Min. lot area	18,500	12,500	7,000
Min. side setback	15' (6' detached garage)	10' (6' detached garage)	8' (6' detached garage)
Min. rear setback	25' (6' detached garage)	25' (6' detached garage)	25' (6' detached garage)
Max. building height*	35'*	35'*	35'*
FAR	None	None	None
Max. building coverage	30%	30%	35%
Max. impervious surface	None	None	None

* Measured from the average of the highest and lowest point of grade for that portion of the lot covered by the building to the highest point of a flat roof and the mean height between eaves and ridge for a gable, hip and gambrel roof. (Mid-point of pitched roof, from average elevation.)

Richfield

Zoning	R	R-1
Min. lot area	6,700	10,000 s.f.
Min. front setback	30'	30'
Min. side setback	5'	10' (5' detached garage)
Min. rear setback	25'	25'
Max. height	*35'	*35'
FAR	None	None
Max. building coverage	35%	35%
Max. impervious surface	45%	45%

* Measured to the mid point of the highest pitch of the roof. Measurement is from the highest grade. If grade drops more than 10 feet, the measurement is taken from the lowest grade, and 10 feet is added to the 40-foot requirement.

St. Louis Park*

Zoning	R-1	R-2
Min. lot area	9,500	7,200
Min. front setback**	30'*	25'*
Min. side setback	9' one side and 6' on the other (2' detached garage)	7' one side and 5' on the other (2' detached garage)
Min. rear setback	25' (2' detached garage)	25' (6' detached garage)
Max. building height***	30'***	30'***
FAR	None	None
Max. building coverage	35%	35%
Max. impervious surface	None	None

* A single-family home which legally exists on or before the date of the ordinance may be expanded by an addition or dormer, provided the addition does not extend into the existing side yard.

** Or to the closest wall on the street whichever greater.

*** Measured from the highest elevation between the building and the curb to mid point of a pitched roof.

Wayzata

Zoning	R-3A	R-2A	R-2
Min. lot area	9,000	25,000	15,000
Min. front setback*	20'*	30'*	25'*
Min. side setback	10' (5' detached garage)	15' (15' detached garage)	10' (5' detached garage)
Min. rear setback	20' (5' detached garage)	20' (5' detached garage)	20' (5' detached garage)
Max. building height**	30'***	40'***	30'***
FAR	None	None	None
Max. building coverage	30%	20%	20%
Max. impervious surface	35%	30%	30%

* Or the average of the block

** Measured from the highest adjoining sidewalk or ground surface within a five foot distance from the exterior wall to the highest point of a flat roof or the average height of the highest gable of a pitched or hipped roof. (Mid-point of pitched roof.)

Minneapolis

Zoning	R-1
Min. lot area	6,000
Min. front setback	25'
Min. side setback	5'
Max. height	30'
FAR	50% or 2,500 s.f. whichever greater
Max. building coverage	50%
Max. impervious surface	65%

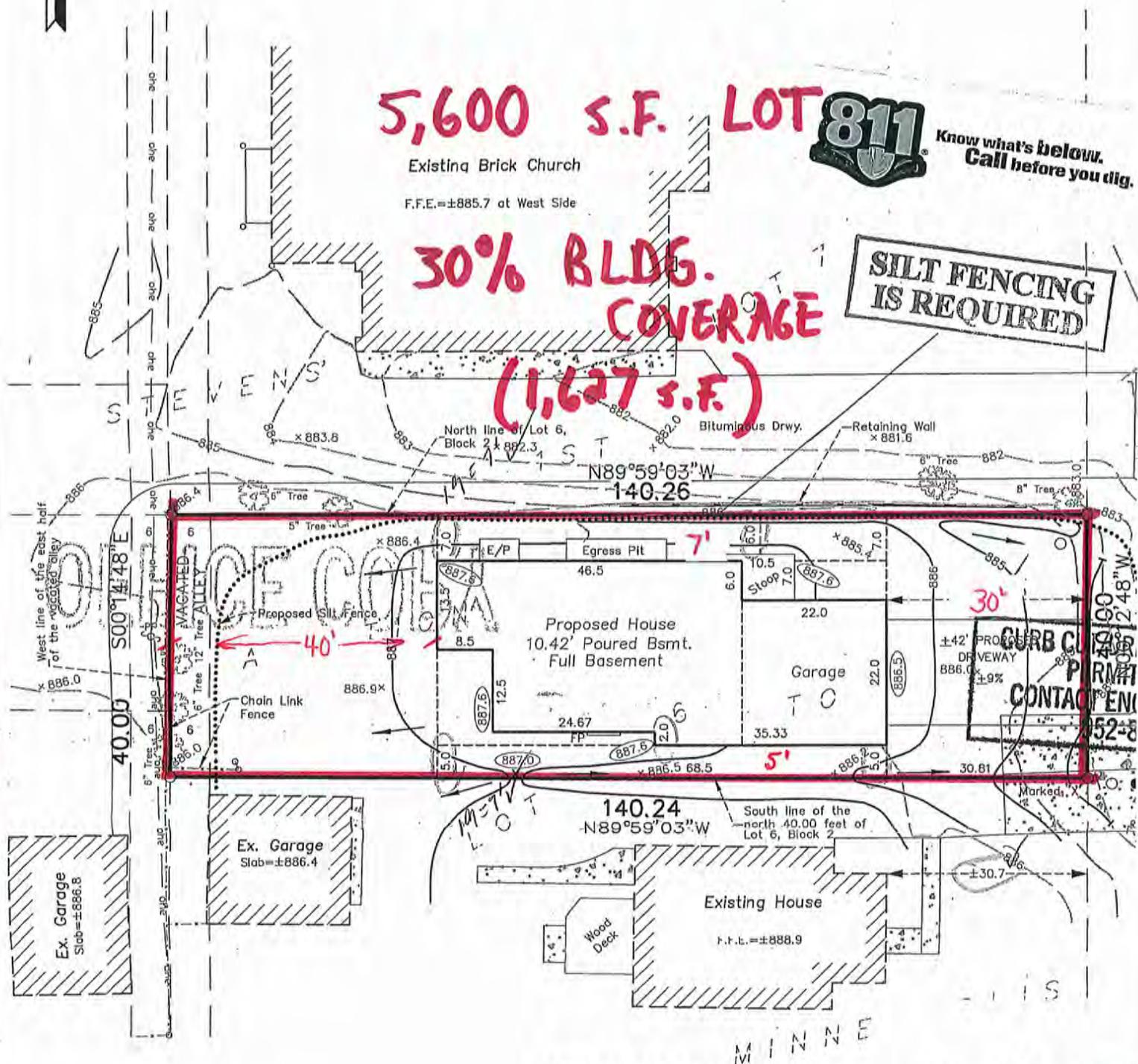
5,600 S.F. LOT 811

Know what's below.
Call before you dig.

Existing Brick Church
F.F.E.=±885.7 at West Side

30% BLDG. COVERAGE
(1,627 S.F.)

SILT FENCING IS REQUIRED



LEGEND

- Denotes Existing Manhole
- PP Denotes Existing Power Pole
- ohe — Denotes Existing Overhead Utility Line(s)
- Denotes Existing Fence
- Denotes Existing Concrete Surface
- Denotes Existing Contour
- Denotes Proposed Contour
- x 000.0 Denotes Existing Elevation
- Denotes Set Iron Monument
- x 000.0 Denotes Existing Elevation
- x 900.0 Denotes Proposed Elevation

— STEP GARAGE DOWN AS SHOWN —
PROPOSED BUILDING ELEVATIONS
 Lowest Floor Elevation: 877.98
 Top of Foundation Elevation: 888.11
 Garage Slab Elevation (at door): 886.55
 First Floor Elevation: 888.54
 (Previous Existing FFE=888.7)

11255
OFFICE

BUILDING DEPARTMENT

FEB 22 2012

CITY OF MINNEAPOLIS

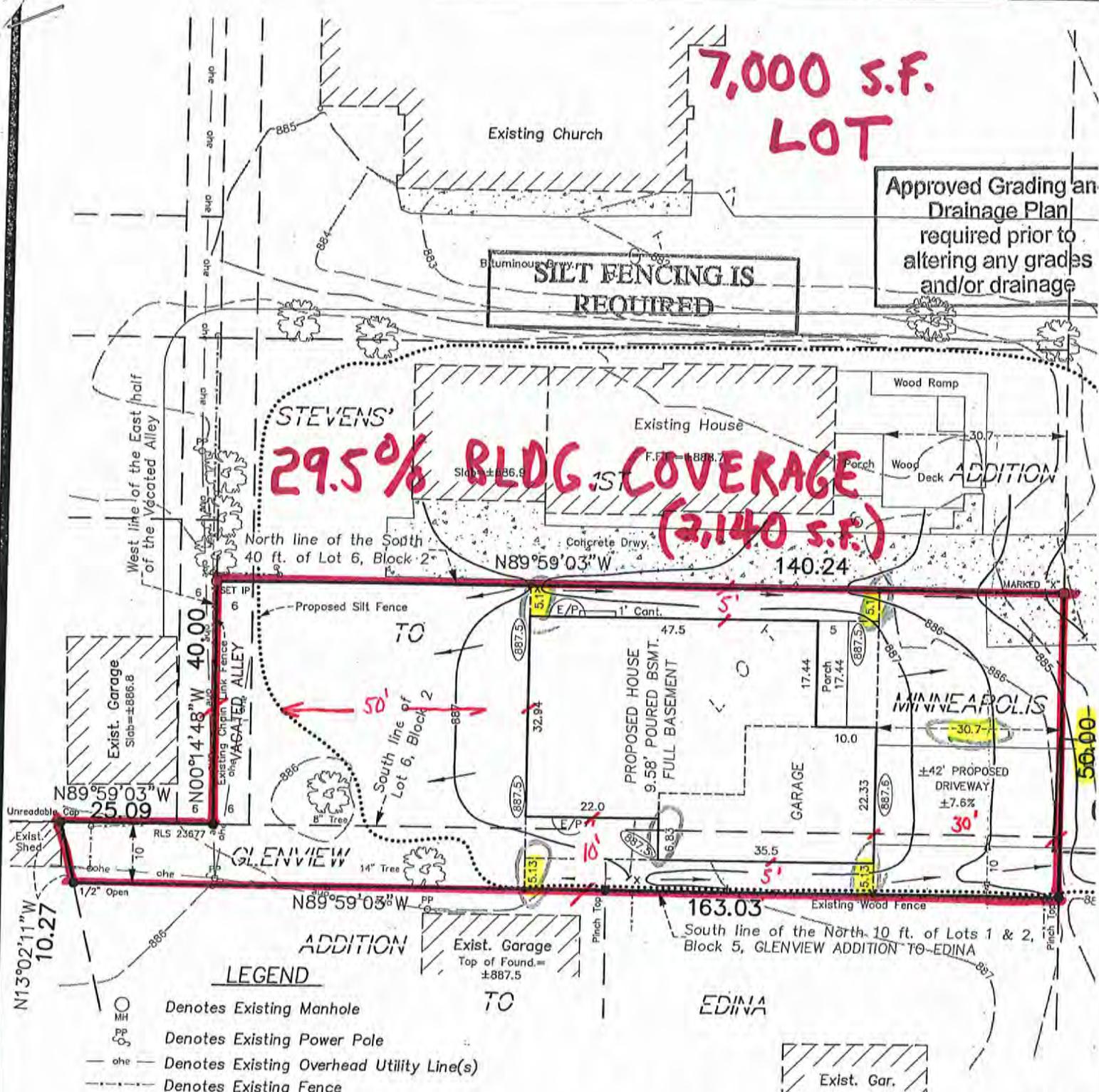
PARCEL DESCRIPTION (PER HENNEPIN COL
 The North 40 feet of Lot 6, Block 2, ST
 MINNEAPOLIS, including half of the adja
 Hennepin County, Minnesota.
 Subject to all easements of record, if an
 NOTES:
 1. Surveyed property is zoned R-1 per H

**7,000 S.F.
LOT**

Approved Grading and
Drainage Plan
required prior to
altering any grades
and/or drainage

**SILT FENCING IS
REQUIRED**

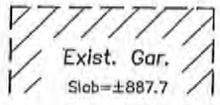
**29.5% RLOG COVERAGE
(2,140 S.F.)**



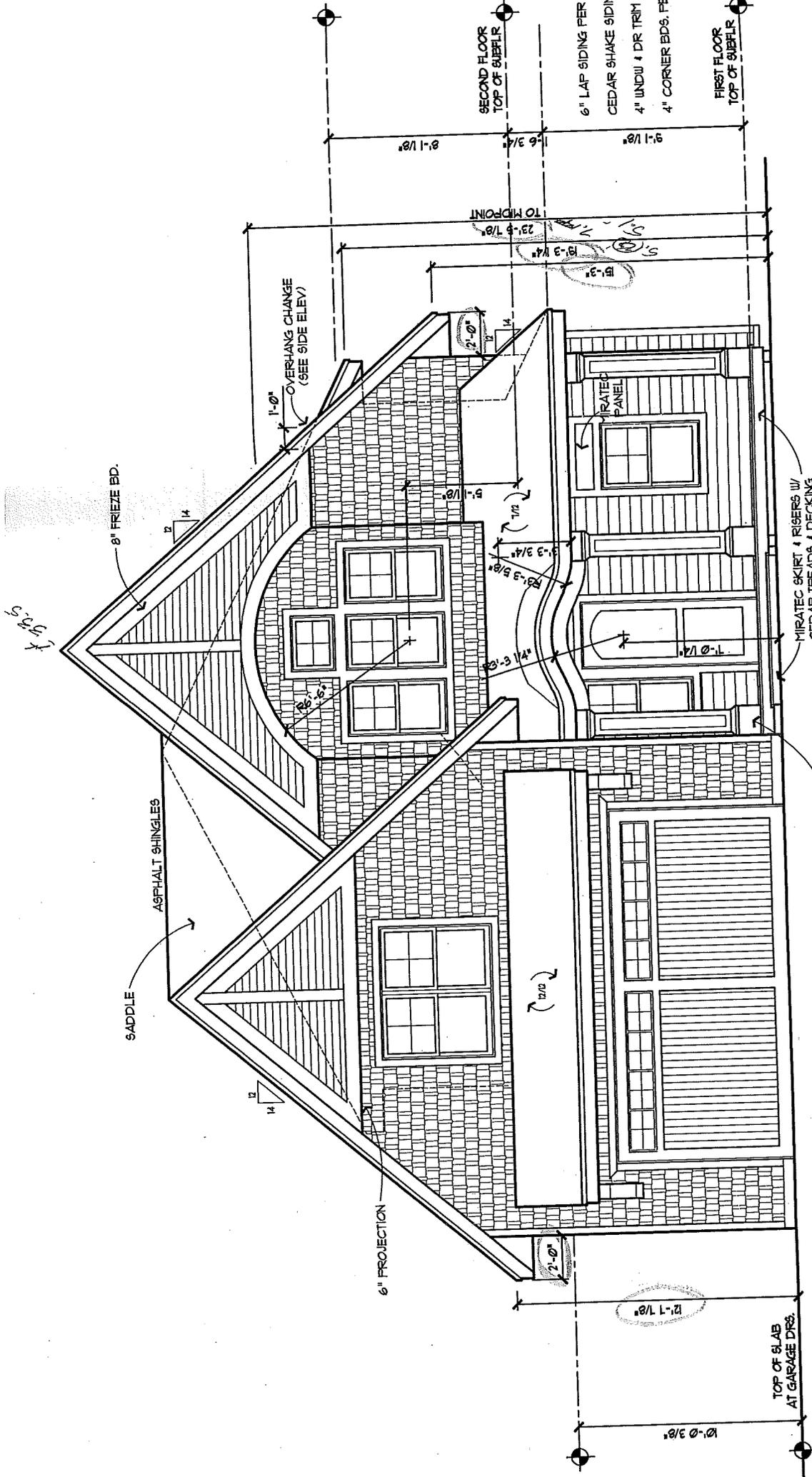
LEGEND

- MH Denotes Existing Manhole
- ⊕ Denotes Existing Power Pole
- ohe - Denotes Existing Overhead Utility Line(s)
- - - Denotes Existing Fence
- ▨ Denotes Existing Concrete Surface
- 000 - Denotes Existing Contour
- 000 - Denotes Proposed Contour
- x 000.0 Denotes Existing Elevation
- Denotes Found Iron Monument, as noted

- x 000.0 Denotes Existing Elevation
- x (900.0) Denotes Proposed Elevation
- Denotes Direction of Drainage



PROPOSED
Low
Top of Foot
Garage Slab El
Fir:
(Pre



Minimum 4" high, contrasting building address numbers, visible from the street, required on the building

12" SQUARE HARDIE COL'S
w/ 16" HARDIE BASE & CAP
w/ CROWN TRIM

FRONT ELEVATION

SCALE: 1/4"=1'-0"



6.1/16"

TOP OF SLAB AT GARAGE DRG.

SECOND FLOOR TOP OF SUBFLR
6" LAF SIDING FER
CEDAR SHAKE SIDIN
4" UNDUW & DR TRIM
4" CORNER BDS. FE
FIRST FLOOR TOP OF SUBFLR

TO MIDPOINT
23'-9 1/8"

12'-0 3/8"

12'-1 7/8"

8'-1 1/8"

9'-1 1/8"

13'-3 1/4"

5'-3"

2'-0"

1'-0"

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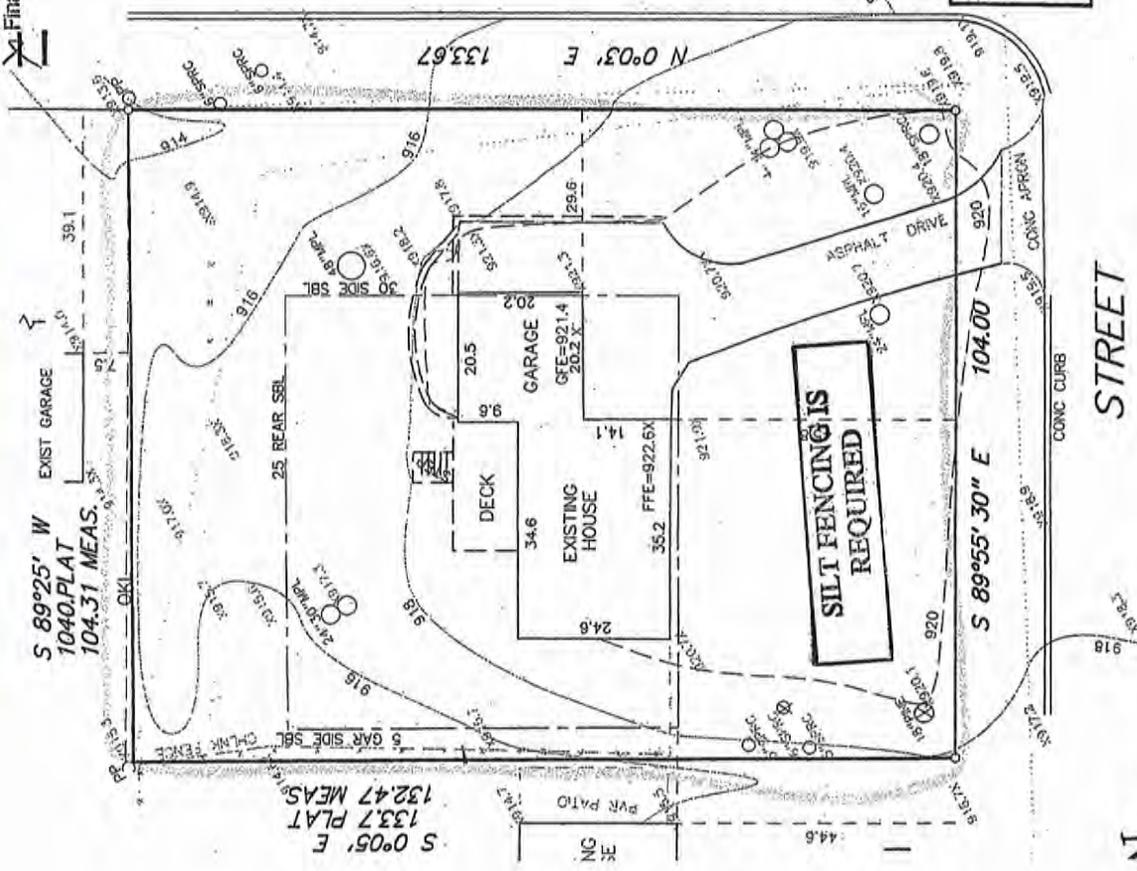
1'-0"

1'-0"

1'-0"

- FOOTING
- Foundation Wall Reinforcing
- Foundation Pre-backfill
- Framing and Sheathing
- Insulation
- Lath
- Drywall
- Masonry Fireplace
- Final

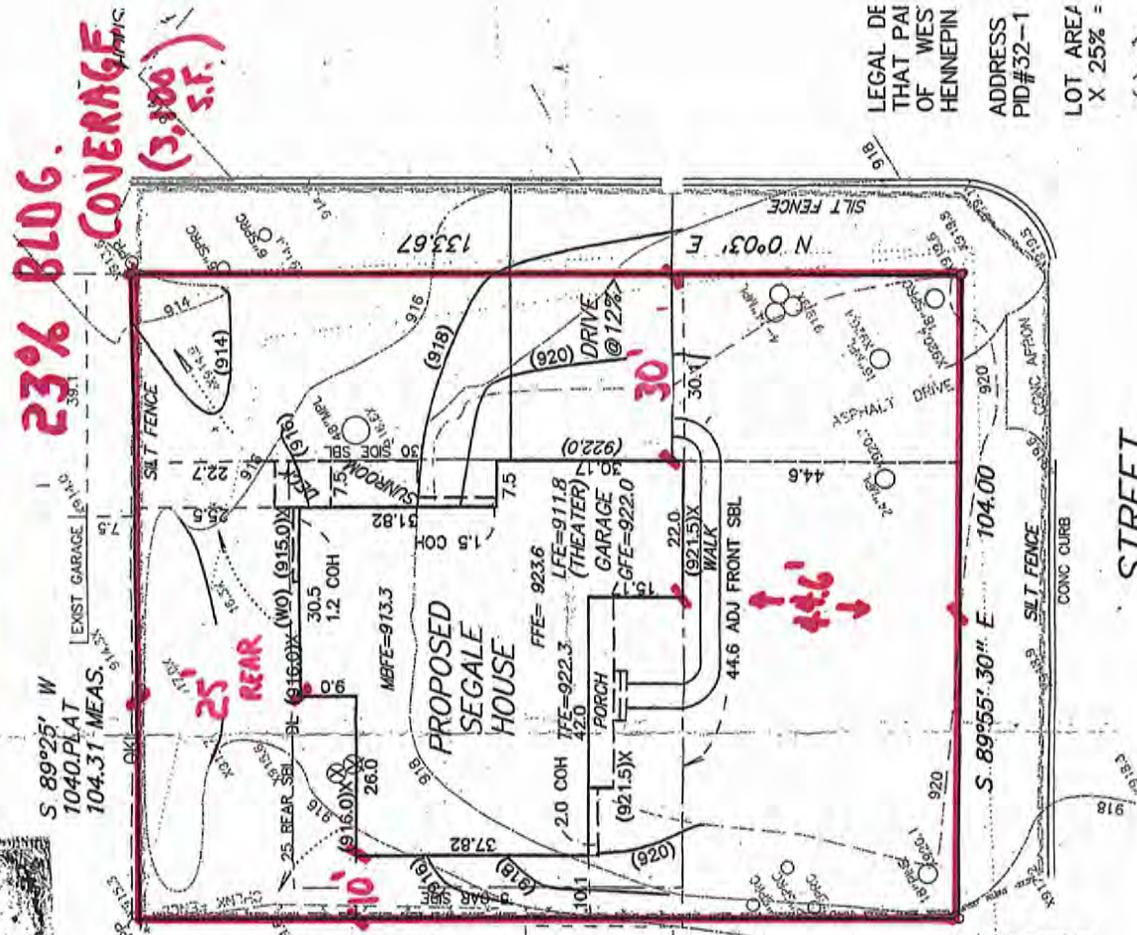
EXISTING CONDITIONS



Approved Grading and Drainage Plan required prior to altering any grades and/or drainage

PROPOSED

9,000+ S.F. LOT
23% BLDG. COVERAGE (3,100 S.F.)



LEGAL DE THAT PAI OF WES HENNEPIN ADDRESS PID#32-1 LOT AREA X 25% =

**MINUTES
OF THE REGULAR MEETING OF THE
EDINA CITY COUNCIL
HELD AT CITY HALL
JUNE 17, 2008
7:00 P.M.**

ROLLCALL Answering rollcall were Members Bennett, Housh, Masica, Swenson and Mayor Hovland.

CONSENT AGENDA ITEMS APPROVED Motion made by Member Masica and seconded by Member Bennett approving the Council Consent Agenda as presented with the exceptions of Item I. Minutes of June 3, 2008, Regular Meeting; Item IV. B. Adventure Peak Remodel Improvement – Edinborough Park; Item V. E. Traffic Safety Report of June 4, 2008.

Rollcall:

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

Motion by Member Masica, seconded by Member Housh to also remove from the Consent Agenda Item V. H. Set Hearing Date (07/01/08) Public Works Relocation.

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

MARCH 9, 2009 PROCLAIMED EDINA UNPLUGGED NIGHT Mayor Hovland read a proclamation that proclaimed March 9, 2009 as “Edina Unplugged Night” in Edina. **Member Swenson made a motion that was seconded by Member Bennett adopting a proclamation proclaiming March 9, 2009, as Edina Unplugged Night in Edina.**

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

Mayor Hovland presented the “Edina Unplugged Night” proclamation to Marcia Friedman, who spent a few minutes explaining the program and encouraging all citizens to participate in an Edina Unplugged Night with their families.

MINUTES – REGULAR MEETING OF JUNE 3, 2008 APPROVED Member Swenson made a motion to approve the minutes of the June 3, 2008, Regular Meeting as corrected. Member Masica seconded the motion.

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

***MINUTES - WORK SESSION OF JUNE 3, 2008, AND STUDY SESSION OF MAY 27, 2008 APPROVED** Motion made by Member Masica and seconded by Member Bennett approving the minutes of the Work Session of June 3, 2008, and the Study Session of May 27, 2008.

Motion carried on rollcall vote – five ayes.

SECOND READING GRANTED: ORDINANCE NO. 2008-04 AMENDING SECTION 850 REGARDING HEIGHTS Planner Teague explained the Council had granted first reading to the proposed ordinance at their meeting June 3, 2008. He noted the Council requested background information on the height of existing homes on large lots for consideration of allowing taller homes on large lots with large front yard setbacks.

Using a PowerPoint presentation, Mr. Teague displayed examples of ten recently built homes noting two homes had been built exceeding forty feet to the ridge line. He said both of the homes had front yard setbacks of 30 feet, and were located on relatively small lots. The two homes would not have met the proposed ordinance; one would have had to reduce the height to the ridge line by six feet nine inches and the other by seven feet. Mr. Teague said the other eight homes on larger lots with greater setbacks all would have met the forty foot to the ridge line requirement. He noted the measurements

Minutes/Edina City Council/June 17, 2008

were taken from the proposed grade, and not the existing grade, per the recent ordinance amendment.

Public Comment

No one appeared to comment.

Member of Member Swenson, seconded by Member Housh to close the public hearing.

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Member Swenson made a motion to grant second reading to Ordinance No. 2008-04 amending Section 850 regarding heights. Member Housh seconded the motion.

Council discussed the proposed ordinance and questioned whether additional language allowing taller homes on estates lots should be considered.

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

Mr. Hughes stated that based upon his understanding of the Council's direction the staff will not be conducting any further analysis of floor area ratio (FAR) or other single family residential standards until directed to do so by the City Council.

RESOLUTION NO. 2008-55 ADOPTED APPROVING REVISED FINAL DEVELOPMENT PLAN, AND REVISED CONDITIONAL USE PERMIT, AND RESOLUTION NO. 2008-59 ADOPTED APPROVING LOT DIVISION, 3101 & 3201 WEST 69TH STREET, DJR ARCHITECTS/TOM MILLER

Affidavits of Notice presented and ordered placed on file.

Mr. Teague stated the applicant was proposing to tear down two existing office buildings on 3201 and 3101 West 69th Street and replace them with two buildings containing 18,000 square feet of retail space and a 114-unit four-story apartment building located along the east side of the site adjacent to single family homes in Richfield. He said the applicant had revised their plans since receiving preliminary approval in 2007 by reducing the retail space from 40,000 square feet and increasing the number of apartments from 85 to 114. Mr. Teague said the current request would require:

1. A revised Conditional Use Permit for the apartments.
2. A revised Final Development Plan with retail building setback variances from thirty-five feet to twenty feet from York Avenue and 69th Street; apartment building setback variances from fifty-four feet to thirty-five feet; parking lot setback variance from twenty feet to five feet; and a building height variance from fifty feet to fifty-four feet for the apartments.
3. A Lot Division.

Mr. Teague reported the Planning Commission had recommended approval of the requested Final Development Plan, Conditional Use Permit and Lot Split at their May 28, 2008, meeting based upon staff findings and with eleven conditions; and the Zoning Board of Appeals approved the four requested variances at their June 5, 2008 meeting adding two conditions to their approval. He noted he had appealed the variance approvals to allow the City Council to take action on the entire project. Mr. Teague said the developer had updated their landscape plan and removed two parking spaces.

Proponent Presentation

Dean Dovolis, 5009 Ridge Road, representing TE Miller, and Robb Miller, 6921 York Avenue, owner introduced their development team: Michael Stoddard, DJR Architecture, Inc., Ben Erickson, Close Landscape Architecture, Michala Whelan, Sunde Engineering, PLLC, and Jim Benshoof and Mike Klobucar, Wenk Associates, Inc. They presented their proposed plans for the retail building and apartment using a PowerPoint presentation, plus sample boards of building materials and answered questions of the Council: signage, location of trash pick-up, potential retail clients, expected apartment tenant demographics, price points for apartments, explanation of green roof, sustainable features of the proposed development, green space of the development, traffic, parking, storm water management, proposed landscaping, and whether the project would be built exactly as per the plans submitted.



MINUTE SUMMARY
Edina Planning Commission
Wednesday, April 30, 2008, 7:00 PM
Edina City Hall Council Chambers
4801 West 50th Street

MEMBERS PRESENT:

Chair John Lonsbury, Julie Risser, Nancy Scherer, Kevin Staunton,
Steve Brown, Floyd Grabel and Arlene Forrest

MEMBERS ABSENT:

Michael Schroeder, Mike Fischer and Katie Sierks

STAFF PRESENT:

Cary Teague and Jackie Hoogenakker

I. APPROVAL OF MINUTE SUMMARY:

The minutes of the March 26, 2008, meeting were filed as submitted.

II. OLD BUSINESS:

**Discussion on Massing/Zoning Ordinance Amendment –
Cary Teague, Planning Director**

Staff Presentation

Planner Teague addressed the Commission and gave a power point presentation on "Massing". Planner Teague focused his presentation on establishing a Floor Area Ratio (FAR) and maximum height to the ridge line or top of a roof. Continuing, Planner Teague explained staff proposes FAR to be calculated on a sliding scale on only the front 150 feet of lot depth and FAR shall include only finished floor area above the basement, including garage space. Planner Teague said staff also proposes maximum building height of 35 feet to be measured to the highest point on a roof of a single or double dwelling. The maximum height may be increased by one inch for each foot that the lot exceeds 75 feet in width, and in no event shall the maximum height exceed 40 feet. Planner Teague further explained that any lot 135 feet or wider could have a house 40 feet tall to the top of the roof. Continuing with his presentation Planner

Teague highlighted newly constructed houses within the City and how the proposed FAR and height requirement would impact their construction. Concluding, Planner Teague at the direction of the Commission depicted examples of “neighborhoods/districts” as another tool to use to control massing.

Comments and Questions from the Commission

Commissioner Brown asked Planner Teague to clarify how FAR would be handled if the City were to establish individual “neighborhoods/districts” as an approach to control “massing”. Planner Teague responded that each “neighborhood/district” could have its own FAR; adding if the City identifies “19 neighborhoods or districts” there could possibly be a different FAR for each. Planner Teague pointed out at this time City Code designates all residential lots as R-1 and all R-1 lots are guided by the same requirements except for variations for lot width and lot coverage. Concluding, Planner Teague further explained if the Commission supports establishing neighborhoods/districts each identified neighborhood/district would need to be rezoned.

Chair Lonsbury asked Planner Teague if the City were to identify and rezone individual neighborhoods or follows the character districts established in the Comprehensive Plan would the City need to reestablish standards for each neighborhood/district. Planner Teague responded in the affirmative.

Commissioner Grabiell observed with regard to massing there is the possibility that residents/neighbors the Commission has heard from may be wrong. Commissioner Grabiell stated in his opinion the Commission needs to be careful in restricting redevelopment and new development. Property owners reinvesting in their neighborhoods increase property values, and for the most part that is a good thing. Concluding Commissioner Grabiell noted if changes to Code are too restrictive residents may find difficulty in selling their homes when the time comes.

A discussion ensued with Commissioners focusing on height as an important tool in controlling massing, and agreeing the suggested change in height is a good tool to implement immediately. Commissioners also noted how the loss of sunlight as a result of construction of overly tall homes can impact neighborhood character and enjoyment.

Chair Lonsbury suggested when voting that the proposed Code changes be separated.

Chair Lonsbury opened the hearing for public comment.

Public Comment

Mr. Bill Grist, Minneapolis Area Association of Realtors, 5750 Lincoln Drive, addressed the Commission and explained what is important to realtors is to have the correct information available for clients. Mr. Grist pointed out it's been difficult to keep up with current and proposed changes to Edina's Code. He noted someone can purchase a home under one set of rules, only to have them change by closing. Mr. Grist asked the Commission to give the current Code changes time to work before changing them again, reiterating it's been very difficult for the public to keep up with the changes.

Commissioner Brown moved to close the public hearing. Commissioner Scherer seconded the motion. All voted aye.

Commission Action

Commissioner Scherer moved to recommend an amendment to City Code 850 regarding building height. The maximum height to the highest point on a roof of a single or double dwelling unit shall be 35 feet. The maximum height may be increased by one inch for each foot that the lots exceeds 75 feet in with. In no event shall the maximum height exceed 40 feet. Commissioner Brown seconded the motion. All voted aye; motion carried.

Commission Comment

Further discussion ensued with Commissioners stating they truly believe a one-size-fit all approach doesn't work. Commissioners also stressed they have no desire to prevent growth in the City, and acknowledged the difficulty in developing and implementing new guidelines. Commissioners however stated that something needs to be done, and new technology could be used as an aid in development and implementation of new rules. Commissioners reiterated that in their opinion developing neighborhood districts is the approach that should be implemented to control massing and maintain neighborhood character.

Commissioners also acknowledged that reconstruction and new construction will occur during this review process, questioning if FAR should be immediately established; however, Commissioners reiterated their opinion that if FAR is established it should be calculated based on individual neighborhood standards. Continuing, Commissioners further indicated FAR should either be tied to a "vicinity or neighborhood character districts" as laid out in the Comprehensive Plan or separate districts should be established and designated. Concluding, Commissioners stated they believe the recommended Code change this evening

regarding building height and other recent Code changes will help control massing until separate neighborhoods are defined and/or rezoned.

Commission Action

Commissioner Staunton moved that the Commission recommend to Council that they not adopt the proposed Code change on FAR as laid out in the staff report and that the Commission further study the use of FAR in a vicinity manner and/or the use of FAR as part of character districts in a future rezoning of Code. Commissioner Brown seconded the motion. All voted aye; motion carried.

III. NEW BUSINESS:

Discussion on Tree Ordinance – Cary Teague, City Planner

Chair Lonsbury suggested that the discussion scheduled on developing a tree ordinance be held over for the benefit of absent Commissioners. Continuing, Chair Lonsbury said he would like to receive input on the “potential” tree ordinance from Commissioner Schroeder who is very knowledgeable on this subject. Commissioners agreed with the suggestion from the Chair.

Commissioner Scherer moved to table the discussion on a tree ordinance. Commissioner Brown seconded the motion. All voted aye; motion carried.

IV. INTERGOVERNMENTAL BUSINESS:

Chair Lonsbury told the Commission Nancy Scherer will no longer serve as Commission liaison to the Heritage Preservation Board, adding Arlene Forrest has graciously volunteered to serve as HPB liaison. Chair Lonsbury moved to elect Arlene Forrest as Commission Liaison to the Heritage Preservation Board. All voted aye; motion carried. Chair Lonsbury congratulated Commissioner Forrest.

Chair Lonsbury acknowledged back of packet materials, especially the training materials prepared by Campbell Knutson.

Commissioner Grabiell told the Commission he experienced a fascinating zoning board meeting last Thursday and suggested if zoning items are appealed to Council that the Commission is kept abreast of what occurs at the Council level. Commissioner Grabiell suggested that the monthly zoning board summary indicate if an item was appealed. Planner Teague said to date the City has not received any variance appeals in the month of April; stating Commissioner

front property line, pointing out building placement created the need for a variance.

Commission Action:

Commissioner Brown moved to recommend Final Development Plan Approval including variance based on staff findings and subject to staff conditions. Commissioner Grabel seconded the motion. All voted aye; motion carried.

Update on Massing – Cary Teague

Staff Presentation

Planner Teague addressed the Commission explaining the City Council has asked the Planning Commission to consider ordinance amendments regarding a maximum floor area ratio (FAR) and building height to the ridge line for single-family homes.

Planner Teague introduced Mr. Brian Lubben of Collaborative Design, adding Mr. Lubben was hired to work closely with staff on “massing”. Planner Teague told the Commission Mr. Lubben has prepared a power point presentation with computer modeling of three existing neighborhoods to assist in illustrating how the proposed changes to the Code impact homes in these neighborhoods.

Mr. Lubben delivered his presentation.

Commission Comments

Commissioners acknowledged that the computer modeling presented by Mr. Lubben really helps clear-up issues, adding the program used to create the visual models is incredible and would benefit the City if purchased. Commissioners pointed out Edina is a completely developed community and visual aids would be of great value. Continuing, Commissioners stated that at this time the Commission doesn’t just want to just “patch up” the ordinance to “control” massing, it wants to do more.

Planner Teague reiterated the City Council asked the Commission to consider ordinance amendments regarding floor area ratio (FAR) and building height to ridge line for single family homes. Planner Teague pointed out the current

zoning ordinance has some good tools that already address massing; however, despite current regulations there is still a concern that Edina's ordinance doesn't go far enough.

Commissioner Brown asked Planner Teague if there is a time-line on this review process. Planner Teague stated he doesn't believe there's a time-line. Commissioners stressed they want to "get it right", adding they don't want to prevent growth, but harness it.

Chair Lonsbury opened the public testimony, adding at this time his intent is to keep it open.

Public Comment

Dan Carlson, 6229 Parkwood Road. Mr. Carlson stated he is concerned with the proposed changes to Code, adding in his opinion if these changes are adopted they will be taking away his rights as a property owner. Mr. Carlson said if passed the proposed changes would be dictating that he can't build or rebuild to the size/square footage enjoyed by his neighbors. Mr. Carlson said in his opinion the City Council is discriminating against square footage, adding square footage is what people live in. Concluding, Mr. Carlson stressed that he doesn't want the proposed changes to the existing Code adopted that take away his rights as a property owner.

Sandy Carlson, 5304 Oaklawn Avenue told the Commission she lives in an area of change and as a result of recent development she has lost her sunlight and privacy. Ms. Carlson encouraged the Commission to make decisions that take the neighboring properties into account. Ms. Carlson stated for her it's not really about house size, it's about lot size and what is appropriate.

Richard Whitbeck, 6128 Brookview Avenue suggested that the Commission look at Minnetonka's ordinance as it relates to massing. He said he believes their Code ties remodeling/rebuilds to a radius (400 feet) or what's present on the same block. This would help all neighborhoods, not just the smaller lot areas.

Turk Miroslava, 6141 Brookview Avenue pointed out the Commission should also consider if the remodeling or rebuild "fits" the neighborhood. Mr. Miroslava said on his street there are two homes that haven't sold because they are out of character with the neighborhood.

Jackie Whitbeck, 6128 Brookview, told the Commission to also consider the "carbon footprint" of these large homes.

Jane Lonquist, 4510 Drexel Avenue, thanked the Commission for their interest in addressing the issue of massing.

Kitty O'Dea, 4610 Bruce Avenue, told the Commission she agrees with the steps taken thus far to amend the Ordinance to help reduce the impact of new construction or remodeling, adding in her opinion implementing a FAR is a step in the right direction.

Ms. Westin, 6136 Brookview Avenue, stated she believes more research is needed on energy and sunlight issues, adding in her opinion "do homes really need to be as large as they are being built". Ms. Westin stated loss of sunlight can be very detrimental to many people. Ms. Westin pointed out the Schaefer Road/Parkwood Road area is a completely different neighborhood than the Brookview neighborhood and maybe the massing focus should be on neighborhoods.

Jay Carlson, 5304 Oaklawn Avenue told the Commission he believes adopting a FAR is a great tool in reducing massing; however, Mr. Carlson added he also believes looking at each neighborhood individually makes the most sense and is the best solution to the issues facing Edina.

A discussion ensued with Commissioners in agreement that "massing" and changes to the Code are very important and further discussion and input from staff, Council, Commissioners and the public is necessary. Chair Lonsbury suggested that the public testimony be held open until the next Commission meeting on April 30th.

Commissioner Grabiell moved to suspend the public testimony until the next meeting of the Planning Commission on April 30, 2008. Commissioner Brown seconded the motion. All voted aye; motion carried.

Commission Comments

Chair Lonsbury thanked members of the audience for their input and directed a question to Planner Teague regarding Minnetonka's ordinance, adding if his memory serves him correctly the Commission considered something similar in the past. Planner Teague responded Chair Lonsbury is correct; however, basing house size on street or radius is difficult, adding that at this time Edina doesn't have information available on the exact size of every house in the City. Chair Lonsbury asked if that is the reason the proposed change is based on lot width. Planner Teague responded that is correct.

A discussion ensued with Commissioners pointing out changing Code to include a FAR in their opinion may not be the only tool to control massing. Commissioners pointed out at this time zoning regulations are already in place and amending the Code may not be enough. Commissioners stated Mr. Carlson's point is well taken; that at least in his neighborhood large houses aren't a problem. Expanding on that point it was noted that a conclusion shouldn't be drawn that large houses on small lots are inappropriate; noting the houses in the

Country Club District are large, the lots are small, but in that area those homes “fit”; however, they wouldn’t “fit” in other “small lot” neighborhoods. Commissioners also acknowledged the concern with property values and the assumption that the changes occurring within Edina are only increasing those values, adding that can only go so far. Commissioners stated managing appropriate house size in each neighborhood may be the key. Commissioners stressed that maintaining neighborhood character is the goal; noting in the Comprehensive Plan Character districts were defined. Commissioners acknowledged how the City gets there is the challenge. Continuing, in was also noted that detached garages, teardowns, vs. extensive remodeling, minimal remodeling, grading etc. are also important issues that should be discussed further.

Planner Teague noted if the Commission is serious about developing neighborhood districts to regulate massing individual neighborhoods would need to be identified and rezoned. Planner Teague said in his opinion it would be challenging to “draw” neighborhood lines.

Commissioner Brown pointed out character districts were already identified in the Comprehensive Plan and that could be a starting point. Commissioner Grabiell suggested that the City solicit help from realtors in defining neighborhoods - if that’s the way the City is heading.

Chair Lonsbury stated at this time the Commission isn’t ready to act on the proposed Code amendments. Chair Lonsbury said in his opinion it would be beneficial if the Commission and Council had a workshop on this issue. Concluding, Chair Lonsbury said the message this evening is that the Commission needs more input before we act.

III. INTERGOVERNMENTAL BUSINESS:

Chair Lonsbury acknowledged receipt of back of the packet materials.

IV. ADJOURNMENT AND ADDITIONAL PUBLIC COMMENT:

The meeting was adjourned at 10:00 PM

Submitted by



MINUTE SUMMARY
City of Edina Planning Commission
Wednesday, March 28, 2007, 7:00 PM
Edina City Hall Council Chambers
4801 50th Street West

MEMBERS PRESENT:

Chair Lonsbury, Julie Risser, Nancy Scherer, Michael Schroeder, Mike Fischer, Steve Brown, Arlene Forrest, Kevin Staunton, Katie Sierks

MEMBERS ABSENT:

Floyd Grabel

STAFF PRESENT:

Cary Teague, Jackie Hoogenakker

I. **APPROVAL OF MINUTE SUMMARY:**

The Minutes of the February 28, 2007, meeting were filed with a correction.

II. **NEW BUSINESS:**

MASSING STUDY REPORT - Cary Teague

STAFF PRESENTATION:

Mr. Teague addressed the Commission and explained the City Council recently held a study session on the "Massing" issue. They considered the Massing Report by Hay Dobbs; comments from staff; and comments from the Planning Commission discussion held in November. The City Council recommended changes be made to the zoning ordinance to address the issue.

Mr. Teague informed the Commission at this time the Commission is asked to consider and recommend amendments to the zoning ordinance, and the Commission's recommendations would then be brought to the City Council and be discussed at a joint work session.

Mr. Teague referred the Commission to the following staff report, findings and suggestions as listed below:

The following report provides information and background for the Planning Edina's current zoning ordinance does have some good tools that already address the massing issue. The city's 25-30% building coverage requirement, and increased setback of 6 inches for every foot over 15 feet in height, does limit building size. Additionally, the city's median lot width and size requirement also keep new subdivisions in areas with lots that are larger than 9,000 square feet and wider than 75 feet these areas consistent with the existing neighborhoods. In fact, the City of Bloomington recently amended their ordinance, to include similar median requirements, to address an issue they had with smaller lots being created in areas with large lots. They also made some height and setback adjustments. Further amendments would "beef up" Edina's ordinance, such as further restricting the building height in residential districts, the building/hard surface coverage requirement, and/or adding a floor area ratio requirement.

Staff conducted a survey of 15 cities to compare how other communities regulate single-family homes to address the massing issue.

Building height. Edina's current height maximum is 30 feet. The measurement is taken from the ground elevation at street side of a home to the mid point of a pitched roof. Edina's height maximum is generally the same and at times more restrictive than other cities. Nine of the 15 cities allow up to 35 feet in height, though half of those measure from the average elevation at the ground. The remaining cities are at 30 feet.

Consideration could be given to lowering the height requirement and/or changing how height is measured.

Where to start the height measurement? There have been instances where grades have been altered by bringing in fill and building retaining walls, which has resulted in making a house appear taller even though it meets the height requirement.

A way to address the issue would be to measure from the lowest or average original grade or elevation prior to construction. The City of Bloomington measures from the lowest existing ground elevation. The cities' of Eagan, Maple Grove and Plymouth measure from the average grade or elevation of the highest and lowest points at or within 5 feet from the foundation. (However each of these cities' maximum height is 35 feet.

There may be times however, that would require possible exceptions to this rule. Those instances would be to correct an existing drainage problem, or to get the house above an existing sewer or water table. In those instances, a variance may be justified.

Where to end the measurement? Another consideration would be to measure height to the ridge line or top of the roof, rather than to the mid-point. Of the 13 cities surveyed only Apple Valley and Bloomington measure building height to

the top of any roof. Apple Valley's height requirement is 35 feet. Houses in Bloomington can be up to 40 feet tall, but may not be more than 2 stories. All other cities measure height the same way as Edina, to the mid point of a pitched roof.

Building/hard surface coverage. Edina's maximum building coverage of 25-30% is generally in line with those cities' that regulate lot coverage. Of the 15 cities surveyed, 8 do not regulate lot coverage in the low-density residential districts. The more restrictive communities include Bloomington, which has an impervious surface maximum of 35%, and Eagan, which has a building coverage maximum of 20-25%.

The City of Minneapolis was not formally surveyed, but they require a maximum building coverage of 60% and are proposing an amendment to 50%. Minneapolis has a hardcover maximum of 75% and is considering an amendment to 65% to address the issue of massing.

Floor area ratio. Floor area ratio (FAR) may be the most direct tool for dealing with this issue, since it regulates house mass based on lot size. FAR's are defined in the zoning code as "the gross floor area divided by the lot area." A maximum FAR, depending on lot size could be considered, along with a median FAR, and/or a not to exceed the largest FAR in the neighborhood.

Establishing a FAR for single-family homes would limit the maximum size of a house based on the lot area -- the larger the lot area, the larger the house. As an example, the maximum floor area of a house on a 9,000-square-foot lot with a FAR of 0.50 would be 4,500 square feet.

Current use of FAR. Edina has a maximum FAR requirement for all zoning districts, except R-1, R-2, and PRD 1-4 zones. The current requirements are as follows:

PRD-5, rest homes convalescent homes and nursing homes: 1.2
PSR-4, multi-family primarily senior housing: 1.2
MDD, mixed development: non-residential 0.5; mixed non-residential and residential aggregate 1.0
POD, office: 0.5
PCD-1, commercial: 1.0
PCD-2, commercial: 1.5
PCD-3, commercial: 0.5–1.0 depending on location
PID, industrial: 0.5–0.6
RMD, medical: 1.0

Practices in other cities. Staff surveyed several suburban cities in the Twin Cities area to determine FAR practices. None of the cities had a FAR requirement for single-family homes, although, FAR's are common for multi-family, commercial and industrial uses.

The City of Minneapolis is considering an FAR of .5 to address the massing issue. Minneapolis has many areas with lots that are 5,000 square feet in size, that are being redeveloped with homes that are approaching 5,000 finished square feet.

Staff also researched several national cities and found several that use FAR requirements for single-family homes. Cities that have a FAR requirement for single-family homes usually exclude detached buildings, such as sheds and detached garages.

Graduated FAR. Some cities use a graduated FAR requirement -- the maximum allowed FAR increases inversely with lot size. In other words, the house size may increase as the lot size decreases. Given the city's existing ordinance has a different regulation for lots greater than and less than 9,000 square feet could be established.

Conditional Use Permit. In surveying other cities, staff found that some use a conditional use permit to give their city councils some discretion in allowing homes that exceed the FAR, but would be consistent with the character of an established neighborhood. One approach would be to allow a conditional use permit where the majority of homes on the same street are at least as large as the proposed home.

Advantages of FAR include:

- Floor area ratios are the most direct tool for restricting building mass, based on lot area.
- FAR's are an objective standard that avoids inconsistent, subjective decisions on neighborhood character or building design with each application.

Disadvantages of FAR include:

- With the variety of lot sizes and neighborhoods in the City, it may be difficult to find a FAR that works city-wide.
- Council would have more difficulty denying a specific proposal that met the allowed FAR.
- FAR limits do not necessarily address setbacks and building height concerns.

The use of the conditional use permit and/or graduated floor area options mentioned above may help mitigate these disadvantages.

Mr. Teague presented the recommended changes:

Height. Building height would be measured from the existing grade, to prevent builders from filling in around a foundation to meet the height requirement. Additionally, the average elevation would be used, rather than just the front elevation to take into account sloping lots.

Side yard setback. The Council recommended a sliding scale of setback requirements based on lot width. This would slightly increase the separation between houses.

Exceptions. The Council recommended eliminating bay windows that don't extend to the ground level. This would combat the issue of allowing three feet of building into the setback if the wall is brought in at ground level.

Mr. Teague concluded at this time the planning commission is asked to add to and/or revise the proposed ordinance as necessary. The finalized ordinance would be brought to the City Council to discuss in a joint work session.

COMMENTS FROM THE COMMISSION:

Commissioner Scherer thanked Mr. Teague for his thorough report, and proposed Code changes adding one issue that is of major concern to her is raising the existing grade to "accommodate" a new structure. She said in her opinion something must be implemented to prevent a drastic grade change that impacts neighboring properties. Commissioner Scherer noted in one instance a one level house was removed from a site and was replaced by a much taller two story structure, pointing out this type of change really impacts neighboring properties. Commissioner Scherer commented the City could look at averaging grade and/or building height of properties on either side of the proposed rebuild or renovation.

Commissioner Fischer commented at least in his opinion it is difficult to create general rules that apply to the whole City.

A discussion ensued with Commissioners noting there is a difference between averaging the existing grade of adjoining properties and averaging the height of adjoining buildings. It was also observed if one were to average the height of adjoining structures that type of Code change could create a "ramblers forever" scenario in certain areas. Commissioners agreed the staff did a good job recognizing the areas in the Code that could be changed to aide in future developments and redevelopments.

Continuing discussion focused on the suggestion of using Floor Area Ratio (FAR). Commissioners agreed that establishing an area within 300-500 feet of a property proposing a tear-down rebuild and/or major renovation makes sense; however one has to be careful with language. If Code were to read a new home (or major renovation) can't be any larger than the largest home within a certain number of feet, Code would clearly have to define what is included in that FAR calculation. How basements, attics, and dormers would be calibrated, etc

would have to be succinctly spelled out. The Commission also noted when calculating FAR planning staff would have to rely on the Assessing Departments ability to provide individual property information.

SPEAKING FROM THE PUBLIC:

Andrew Brown, property owner of home(s) on the 5700 block of Zenith Avenue, 5500 block of Park Place and Lexington Street. Mr. Brown said he is against the “massing” that has been occurring in his neighborhoods. He said in his opinion massing creates environmental and economic issues, and can negatively impact the standard of living. Mr. Brown asked the Commission to create a Code that establishes standards that are applicable to each neighborhood.

Ms. Lois Meish, 5528 York Avenue, addressed the Commissioner and told them her concern is with building height. She explained she is worried about property owners or developers raising the grade of a property and building an overly large home. Ms. Meish said there are already overly large homes in her neighborhood that have been on the market for quite some time. Ms. Meish stated in her opinion massing impacts the quality of life. Sunlight, privacy and views can be forever altered when new construction or extreme re-modeling occurs. Ms. Meish concluded she would like the City to draft a reasonable ordinance, adding she isn't against change she just would like to see more respectful developments and redevelopments occur.

Ms. JoEllen Dever, 7405 Oaklawn Avenue, told the Commission one of her issues is the sprawl of townhouse and condominium developments as they relate to building height. Mr. Teague informed Ms. Dever, at this time the proposed Code changes would only relate to R-1 residential properties, multifamily developments would be addressed in the Comprehensive Plan. Ms. Dever said height is also an issue for her in the R-1 neighborhoods.

Mr. Lon Oberpriller, 4517 Rutledge Avenue, told the Commission as a land developer he has observed that the price of land impacts the size of the house that will be built or remodeled. Mr. Oberpriller said usually land price is 30% of the equation, pointing out in Edina land prices are very high. Mr. Oberpriller said if a builder does their job properly a quality project can be achieved. Mr. Oberpriller said structures can be manipulated to visually bring down roof lines - lessening mass. Continuing, Mr. Oberpriller said changes to the Code that relate to building height can be a touchy issue and establishing a FAR can limit future redevelopment, adding limiting oneself could prevent neighborhoods from improving. Concluding, Mr. Oberpriller said he doesn't disagree with the discussion thus far; however, wants Commissioners to realize that because of the age of housing in Edina replacement housing is the future; and changes made to Code could inhibit development.

Chair Lonsbury closed the hearing

COMMENTS AND ACTIONS FROM THE COMMISSION:

Commissioners acknowledged this issue is very emotional. Commissioners commented future discussions need to occur, and acknowledged changes to the Code will impact future development and redevelopment in Edina. Noting there may be some neighborhoods in the City that need some form of "protection". Commissioners agreed Edina's present Code is good; however, there are pieces of the Code that need to be reviewed and amended. Commissioners agreed that Mr. Teague has identified areas of concern with his suggested changes to Code. Commissioners directed Mr. Teague to find out if Edina presently has enough tools to implement some of the suggested changes. Commissioners noted a lot of information needs to be made available to staff especially if the Commission and Council consider implementing a FAR.

Chair Lonsbury directed Mr. Teague to look at the technical aspects of implementing a FAR change to the Code and to also consider a more global look on amending the Code. Chair Lonsbury suggested that Mr. Teague not only meet with residents, but with developers, realtors and citizens from the Affordable Housing Committee and ask them how the proposed changes would impact them.

Commissioner Risser said it would also be very helpful to provide the Commission with examples of an amendment using FAR to limit building size. In all instances the Commission said they realize change can also bring about unintended consequences.

III. INTERGOVERNMENTAL BUSINESS:

Chair Lonsbury noted the Commission received in their packet notice that Edina is a "Fit City".

IV. ADJOURNMENT:

Commissioner Risser moved to adjourn the meeting at 8:10 PM.

By

single parents to be able to afford to live in Edina. It's a great place to live and raise children with a great school system.

Commissioner Brown said he agrees this is a very complicated issue, adding he supports finding ways to provide affordable housing for people. Commissioner Brown commented he just wants people to remember that Edina is very unique, and is not typical. Commissioner Brown pointed out Edina does not have an abundance of undeveloped land. It is fully developed which creates more challenges in providing affordable housing opportunities. Concluding Commissioner Brown said he is sensitive to this issue adding he appreciates all the work the task force has accomplished so far. Commissioner Brown stated at this time he just doesn't know the solution. He concluded the City Council has a big task ahead of them.

Commissioner Grabiell stated he agrees this is an important issue, adding at this time for him there are still too many questions. Commissioner Grabiell agreed this issue is very complicated adding at this time for him it is too big and too complicated to support or not support - to be against or for.

A discussion ensued with Commissioners again thanking members of the Housing Task Force for their excellent work and with Commissioners in agreement the Housing Succession Report is important.

Chair Lonsbury thanked Ms. Ming and Mr. Massie and all who served on the task force, adding the Commission appreciates all their hard work.

Discussion on the Massing Task Force – Cary Teague

Planner Teague addressed the Commission and informed them the Massing Task Force has submitted their report for Commission comment. Planner Teague said Edina Code already has some good tools to direct development and redevelopment, adding the Task Force has also suggested additional tools.

Commissioner Schroeder informed the Commission he was a member of the Massing Task Force, adding that serving on the task force was a challenge. Commissioner Schroeder said one question the task force struggled with was "if there is a massing problem out there", and if there is a problem-what is the problem, or do the few "bad examples" overshadow the high quality of work that is consistently found in Edina's residential neighborhoods. Continuing, Commissioner Schroeder said what the task force found was that many residents are upset about the construction process (from start to finish) and in many neighborhoods the process continues to move up and down the street.

Commissioner Schroeder said the continued remodeling and tear downs/re-builds in many of Edina's neighborhoods goes directly to the issue of "livable neighborhood". Concluding, Commissioner Schroeder explained the task force didn't want to launch headlong into amending the Zoning Ordinance, but to find ways to lessen the impact of change and continued construction.

Chair Lonsbury said at this point his intention is to assist the Council by focusing Commission comments on the five points recommended in the Massing Task Force Study.

1. *Mandatory neighborhood notification prior to permit letting. Property owners would be required to notify neighboring property owners of their intent to rebuild. Notification would include a perspective drawing. The City would not issue a building permit until the notification has taken place. The City would post drawings on the web.*

Comments from Commissioners:

Commissioner Brown said his observation is when it comes to notification the City should error on the side of "over communication". Commissioner Brown added every attempt should be made to ensure residents are involved in the process.

Commissioner Fischer agreed that every opportunity should be taken to ensure communication; however, at present there is no "formal" notification when a project meets Code. Commissioner Fischer said the posting of a sign may be a good way to communicate to neighbors a house is undergoing renovation or tear-down/ re-build.

Chair Lonsbury commented in his opinion neighbors could become frustrated if they are notified of a project, object to the project but since it meets Code there isn't anything they can do about it. Chair Lonsbury said in his opinion this needs further evaluation and public education.

2. *Neighborhood design education. Creation and support of an ongoing outreach program for neighborhood education and project review. Staffed by the City, volunteers, and possibly outside consultants, this group could create "neighborhood handbooks" tailored to the scale, history, style and setbacks of each neighborhood. This handbook could identify character-defining features for each neighborhood and how to meet modern needs while protecting them.*

Comments from Commissioners:

All Commissioners were in favor of implementing methods of educating residents on the City's Ordinances and processes.

3. *Neighborhood focus for comprehensive plan update. As part of the Comprehensive Plan, neighborhood geographic definition could be addressed. Upon completion, the zoning and building codes could be adjusted to address issues such as height, bulk, driveway coverage, and setback. Guidelines would be customized by lot size and neighborhood context. No restriction would be put on style, material or color.*

Comments from Commissioners:

Commissioner Staunton said in his experience residents express alarm when a dramatic change occurs in the neighborhood, adding change can be very emotional. Commissioner Staunton pointed out revisiting the Code in certain instances may be of benefit to the City. Continuing, Commissioner Staunton said one issue he has observed that can be very difficult and emotional is building height. He noted many things come into play when measuring building height. Grades can be manipulated with the end result a building dramatically higher than what previously existed. Concluding, Commissioner Staunton also noted increased building height and grade change are also issues that impact drainage. Commissioner Staunton said he supports really “digging into” this.

Chair Lonsbury agreed, adding how building height is measured could be revisited, adding measuring and averaging building height (similar to how the City determines front yard setback) may be a remedy.

Commissioner Scherer said it is also critical to her how these issues are folded into the Comprehensive Plan. Commissioner Scherer said in her experience many residents feel they don't they have the ability to “weigh in” on issues that concern them.

4. *Voluntary neighborhood conservation districts.*

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Comments from Commissioners:

Commissioners agreed the City Attorney may need to render an opinion on legal issues associated with neighborhood conservation districts.

6. *Proactive residential construction oversight and regulation.*

Comments from Commissioners:

Commissioner Staunton agreed this is an issue for residents, adding it may be difficult to decipher if the issue is with an individual project or the fact that in certain neighborhoods it has become almost serial as projects and rebuilds continue to occur up and down the block. Commissioner Staunton noted many

residents may not have an issue with a specific project, but when neighborhoods are continually subjected to construction projects it becomes difficult to sort out what the real issue is.

Commissioner Fischer agreed this is an important issue, adding to a neighborhood continued construction means more “people” coming and going with Edina’s “fully developed” neighborhoods beginning to feel like brand new subdivisions.

Continued discussion ensued with Commissioners in agreement there are remedies that could be implemented to reduce the stress of “Massing”. Commissioners acknowledged the “Massing” issue is not new to Edina and that the entire Country appears to be “suffering” from this issue.

Audience comments:

Mr. Tom Anderson, 4603 Drexel Avenue informed the Commission on his block alone there are a number of reconstruction projects occurring simultaneously. Continuing, Mr. Anderson said in his opinion notification is critical. Mr. Anderson said setbacks are important, but equally as important is lot coverage. Mr. Anderson said presently Code treats driveways as open space, adding they aren’t considered when calculating lot coverage. Concluding, Mr. Anderson said the City should also look at maintaining neighborhood character, and better ways to inform residents of construction plans in their neighborhood.

Chair Lonsbury thanked Commissioners and residents for their comments on the Massing Task Force Study.

Comprehensive Plan Update – Dan Cornejo

Mr. Cornejo addressed the Commission and informed them URS was chosen as consultant to aid in the updating of the City’s Comprehensive Plan. Mr. Cornejo said the City will also choose a consultant to help update the Transportation element of the Comprehensive Plan, adding at this time a decision has not been made on that consultant. Continuing, Mr. Cornejo stated staff intends to have a Comprehensive Plan “kick off” meeting on December 4, 2006, 6:30 PM at Braemar. Mr. Cornejo said the updated Comprehensive Plan needs to be adopted and is considered a legal document.

Mr. Cornejo told the Commission the Comprehensive Plan will define what type of community Edina wants to be, not only now but 5 to 15 years from now.