



PLANNING COMMISSION STAFF REPORT

Originator Cary Teague Community Development Director	Meeting Date March 28, 2013	Agenda # VI.A File # 2012.014.12a
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INFORMATION & BACKGROUND

Project Description

As a result of the sketch plan review process recently completed by the applicant, Frank Sidell, has submitted a revised proposal to subdivide the Sidell family-owned property located in between Littel Street and Morningside Road into eight lots. (See property location on pages A1–A5.)

Of the three options considered in the sketch review process, the “modified original,” is now formally proposed. In general, this option was the preferred option. (See the three options on pages A28a–A28c.)

The proposed plan includes a reduced right-of-way from 50 feet to for feet, and the width of the street reduced from 28 feet to 24 feet. The Outlot, located east of the cul-de-sac, has been widened to provide additional separation from the home located at 4408 Morningside Road. This Outlot would be landscaped and then deeded to the adjacent property owner. The driveway leading to 4408 would then be relocated off Morningside onto the new cul-de-sac. (See applicant narrative and proposed plans on pages A6–A34.)

The applicant considered turning Lots 1 & 2 to face Morningside Road; however, is proposing to have them access directly to the cul-de-sac. The applicant would like to integrate these lots into the cul-de-sac, rather than potentially isolating them.

Currently the site consists of six lots. The existing home on the south side of the property and various accessory buildings would be torn down and a cul-de-sac street would be built along the east lot line to serve six of the new home sites. The existing home at 4232 Oakdale would remain and one new lot created on Littel Street.

To accommodate the request the following is required:

1. A subdivision;
2. Lot depth variances from 161 feet to 130 feet for Lot 4; to 140 feet for Lot 6 and to 135 feet for Lot 7.

Within this neighborhood, the median lot area is 9,606 square feet, median lot depth is 161 feet, and the median lot width is 50 feet. (See attached median calculations on pages A17– A19.)

The applicant has developed a plat that would meet all of the minimum lot size requirements; therefore, this site is entitled to develop with eight lots. (See code compliant plat on page A28.) However, as previously discussed, the applicant would rather not develop the site with that plan. There are some steep slopes on this property as well as very mature trees. By developing the site in that configuration with a through street to connect Morningside Road to Littel Street would require extensive tree removal and slop disturbance. The applicant is continuing to propose a permanent conservation easement over some of the mature trees to ensure they are protected. (See pages A26–A27.)

Surrounding Land Uses

The lots on all sides of the subject properties are zoned and guided low-density residential. (See pages A3–A5.)

Existing Site Features

The existing site contains two single-family homes and number of accessory buildings. (See pages A4 & A21.) The southernmost home and accessory buildings would be removed.

Planning

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

Lot Dimensions

	Area	Lot Width	Depth
<u>REQUIRED</u>	<u>9,606 s.f.</u>	<u>75 feet</u>	<u>161 feet</u>
Lot 1	12,512 s.f.	75 feet	161 feet
Lot 2	12,111 s.f.	75 feet	161 feet
Lot 3	12,113 s.f.	75 feet	161 feet
Lot 4	10,342 s.f.	80 feet	<i>130 feet*</i>
Lot 5	18,169 s.f.	83 feet	179 feet
Lot 6	14,533 s.f.	94 feet	<i>140 feet*</i>
Lot 7	23,289 s.f.	122 feet	179 feet
Lot 8	12,170 s.f.	90 feet	<i>135 feet*</i>

**** Variance Required***

Grading/Drainage and Utilities

The city engineer has reviewed the proposed plans and found them acceptable. (See the specific comments the city engineer on page A61.) Storm water would be directed off the homes and driveways toward the new cul-de-sac. The cul-de-sac would then drain to the north into a catch basin that would direct drainage by pipe to a ponding that would be located on proposed Lot 8. Overflow from this pond would drain primarily to the west into St. Louis Park and to a lesser amount to Littel Street and the City-owned parcel to the east. (See grading and utility plans on page A24–A25.) As the City's regulatory authority on the drainage plans, they shall be subject to review and approval of the Minnehaha Creek Watershed District.

The grading plan demonstrates encroachment on the City-owned property adjacent to Lot 7. Use of this property will require compensation to the City of Edina, and a restoration plan subject to review and approval by the City Council.

The detailed grading plans for each new home would be reviewed by the city engineer at the time of a building permit application. A construction management plan will be required for the construction of the new homes.

Specific hook-up locations would be reviewed at the time of a building permit for each lot.

Tree Preservation/Street Construction – Through Street vs. Cul-De-Sac

The applicant considered developing the site with a through street that would connect Morningside to Littel Street. (See page A28.) This is the configuration of eight lots that meet all minimum City Code requirements; therefore, the applicant is entitled to a subdivision of this property into eight lots.

As mentioned, this site contains steep slopes along the west and north side of the site, and contains many mature trees. The Code compliant plat would require a significant amount of grading to make the slopes work to connect the streets and the majority of the mature trees would be removed. By developing this site with a cul-de-sac, grading would be significantly reduced, and mature trees could be saved. To ensure that the trees be permanently preserved, the applicant is proposing a conservation easement over the slope and mature trees. (See conservation easement on pages A26–A27.)

A significant number of trees would be saved as a result of the cul-de-sac configuration compared to the through street.

As demonstrated on page A34, there are several cul-de-sacs in area. There are eight shown to the west in St. Louis Park, and six shown to the south in the City of Edina; the closest cul-de-sac is just over 800 feet to the south On Oakdale Avenue; therefore a cul-de-sac would not be completely out of character in this area.

Traffic/Safety

Concern was raised in regard to traffic safety in the area with the increase of six new single-family homes in the area; therefore, WSB was asked to do a traffic study to determine impacts. As demonstrated in the attached report, the level of service on the existing streets would not change as a result of the proposal. (See pages A44–A52.) There would be sufficient sight lines for traffic exiting or entering the proposed new street intersection on Morningside Road. A stop sign is recommended for the new street approaching Morningside Road and providing a clear sight line from the intersection.

With the reduction in the width of the roadway to 24 feet, the applicant shall be required to post one side of the street for no parking for a fire lane; additionally residential fire sprinkler protection shall be required for each home subject to approval of the fire marshal. (See memo from the fire marshal dated March 20th, 2013 on page A62.)

Previous Vacation of Right-of-Way (West side of the Sidell Property)

As demonstrated on Exhibit A35, there was a 20-foot wide strip of right-of-way along the west side of the Sidell property. Another 20-foot wide strip of right-of-way had existed in St. Louis Park as well. Both of these right-of-ways have been vacated. Most recently, the City of St. Louis Park vacated its 20-foot easement. Many years ago, believed to be in the 1950's, the City of Edina vacated the 20-foot right-of-way on the Sidell property.

When this area was originally platted, Natchez Avenue was to continue to the north to Littel, which was to extend to the west into St. Louis Park. However, over time this right-of-way has been vacated both in Edina and St. Louis Park, including the extension of Littel to the west. Given the steep slopes in this area it was determined that the road would not be constructed in that location.

There would still be adequate room to construct the cul-de-sac along the west property line, even with the vacation of right-of-way that has already taken place. Using a west side street configuration, 68 trees would be preserved compared to 82 in the east side street configuration. Also, a smaller amount of steep slope would be preserved with a road on the west of the property.

Sidewalk

The applicant is proposing a sidewalk that would be located within the right-of-way on the west side of the new street. This would tie into the existing sidewalk on Morningside Road. (See page A22.)

Park Dedication

The property exists as six lots originally platted in the Crocker & Crowell's First Addition plat. Therefore, park dedication has already been paid for six lots. 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 Issues

- **Are the findings for a variance met?**

Yes. Staff believes that the findings for a Variance are met with this proposal.

Per state law and the Zoning Ordinance, a variance should not be granted unless it is found that the enforcement of the ordinance would cause practical difficulties in complying with the zoning ordinance and that the use is

reasonable. As demonstrated below, staff believes the proposal meets the variance standards, when applying the three conditions:

- a) *Will the proposal relieve practical difficulties that prevent a reasonable use from complying with the ordinance requirements?*

Yes. Reasonable use does not mean that the applicant must show the land cannot be put to any reasonable use without the variance. Rather, the applicant must show that there are practical difficulties in complying with the code and that the proposed use is reasonable. "Practical difficulties" may include functional and aesthetic concerns.

The practical difficulty is due to the steep slopes and mature trees on the site. By re-configuring the shape of the lots and building a cul-de-sac, an additional 40 mature trees would be saved and permanently protected by a conservation easement; a total of 82 within the easement. A majority of the severe slopes would also be maintained. (See page A25.) The result of the cul-de-sac design is the need for three lot depth variances; Lot 4, 6 and 7.

The variances are reasonable in the context of the immediate neighborhood and for the subdivision. It does not create any additional lots. The Code compliant Plat results in eight lots, as does the proposed subdivision.

To deny the variances would not prevent the property from developing with eight lots. Denial of the variances would however, result in the significant disturbance of the slopes and the removal of all but 40 mature trees on the site. (See page A28.)

- b) *There are circumstances that are unique to the property, not common to every similarly zoned property, and that are not self-created?*

The circumstances of a large, mostly vacant, parcel with mature trees and steep slopes are unique to this property. There are no other parcels of this size and shape in the City of Edina. While the family has held these properties for many years, they did not plant the vast majority of the trees and did not create the steep slopes.

- c) *Will the variance alter the essential character of the neighborhood?*

No. There are many lots in the area that have lot depths that do not meet the median of 161 feet. There are 26 lots within 500 feet that do not have a lot depth of greater than 130 feet, which is the shallowest of the lots in the subdivision. (See pages A17–A19.)

Staff Recommendation

Recommend that the City Council approve the proposed eight lot subdivision of the Sidell property and the lot depth variances from 161 feet to 130 feet for Lot 4; to 140 feet for Lot 6; and to 135 feet for Lot 7.

Approval is based on the following findings:

1. The applicant has submitted a subdivision of the property that would meet all minimum zoning district requirements with eight lots and new through street that would connect Morningside Road and Littel Street.
2. Rather than develop the site per all minimum Zoning Ordinance requirements, the applicant has submitted a proposed subdivision of the property with a cul-de-sac, which requires lot depth variances for Lots 4, 6 and 7.
3. The proposed subdivision with the three lot depth variances would preserve the steep slopes on the site, and permanently preserves 82 mature trees by placing them in a conservation easement.
4. The proposed subdivision still has eight lots.
5. Except for the variances, the proposal meets the required standards and ordinance for a subdivision.
6. The proposal meets the required standards for a variance, because:
 - a. There is a unique hardship to the property caused by the existing steep slopes and mature trees on the property.
 - b. The requested variances are reasonable in the context of the immediate neighborhood. The existing lots larger in size than the median, and there are 26 lots within 500 feet of the property that do not have lot depths greater than 130 feet, which is the shallowest of the three lots that require lot depth variances.
 - c. The variance request is reasonable, as subdivision still contains eight lots, which would be allowed with the Code compliant subdivision; however, it permanently protects steep slopes and 82 mature trees.
 - d. If the variances were denied, the applicant could still subdivide the property into eight lots, however the steep slopes would be disturbed and an additional 42 mature trees would be removed.

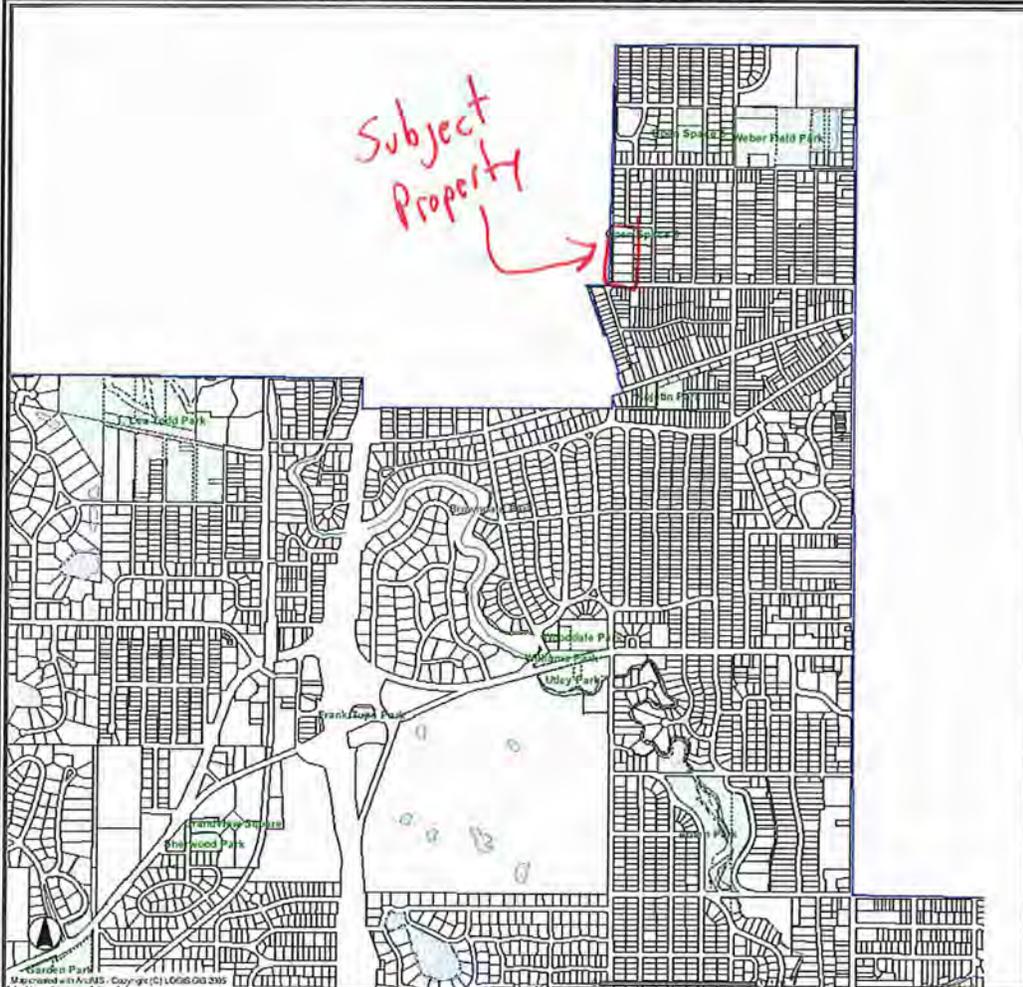
Approval is subject to the following conditions:

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. Prior to release of the final plat, the following items must be submitted:
 - a. Submit evidence of Minnehaha Creek Watershed District approval. The City may require revisions to the preliminary plat to meet the district's requirements.
 - b. Enter into a Developers Agreement with the City. The Developers Agreement shall include the requirement for construction of the sidewalk as proposed.
 - c. Pay the park dedication fee of \$10,000
 - d. Individual homes must comply with the overall grading plan for the site. Each individual building permit will be reviewed for compliance with the overall grading plan subject to review and -approval of the city engineer.
 - e. Compliance with the conditions outlined in the director of engineering's memo dated March 22, 2013.
 - f. A construction management plan will be required for the overall development of the site, and for each individual home construction.
 - g. Utility hook-ups are subject to review of the city engineer.
 - h. Establishment of a permanent tree preservation easement as demonstrated on the grading and tree preservation plan.
 - i. Outlot A shall be deeded to the adjacent parcel at 4408 Morningside Road.
 - j. The applicant must rebuild the driveway at 4408 Morningside Road to access off the new street, and eliminate the curb cut on Morningside Road. The configuration shall be subject to approval of the director of engineering.
 - k. A stop sign is required to be installed on the new street approaching Morningside Road. Clear sight lines shall be maintained from the intersection.

- I. Use of Lot 7 for the overall grading of the development will require compensation to the City of Edina. A restoration plan shall be submitted by the applicant subject to review and approval by the City Council.
- m. All homes must be constructed with fire sprinkler protection in accordance to NFPA 13d.
- n. Signage stating "No Parking Fire Lane" along one side of the roadway the entire length of the road.
- o. Installation of fire hydrant(s) near end of cul-de-sac, & possibly at intersection of Morningside. Fire hydrant location is subject to review and approval of the fire marshal.

Deadline for a City Decision: April 16, 2013

City of Edina



- Legend**
- City Limits
 - Creeks
 - Lakes
 - Parks
 - Parcels

Subject Property

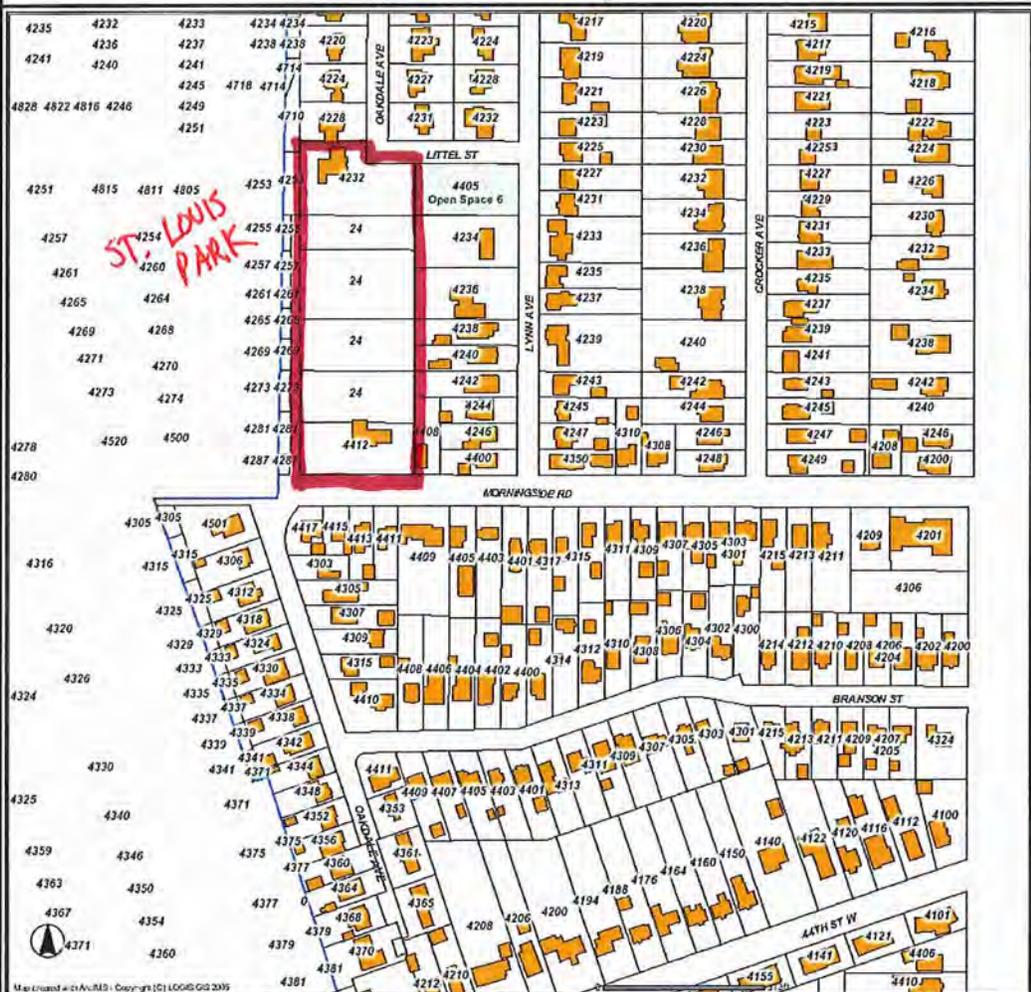


PID: 0702824420094

**4412 Morningside Rd
Edina, MN 55416**



City of Edina



- Legend**
- Surrounding House Number Labels
 - House Number Labels
 - Street Name Labels
 - City Limits
 - Building Footprints
 - Creeks
 - Lake Names
 - Lakes
 - Parks
 - Parcels

Map created with ArcGIS. Copyright © 2006 GIS 2005



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City of Edina



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Edina, MN 55416



City of Edina



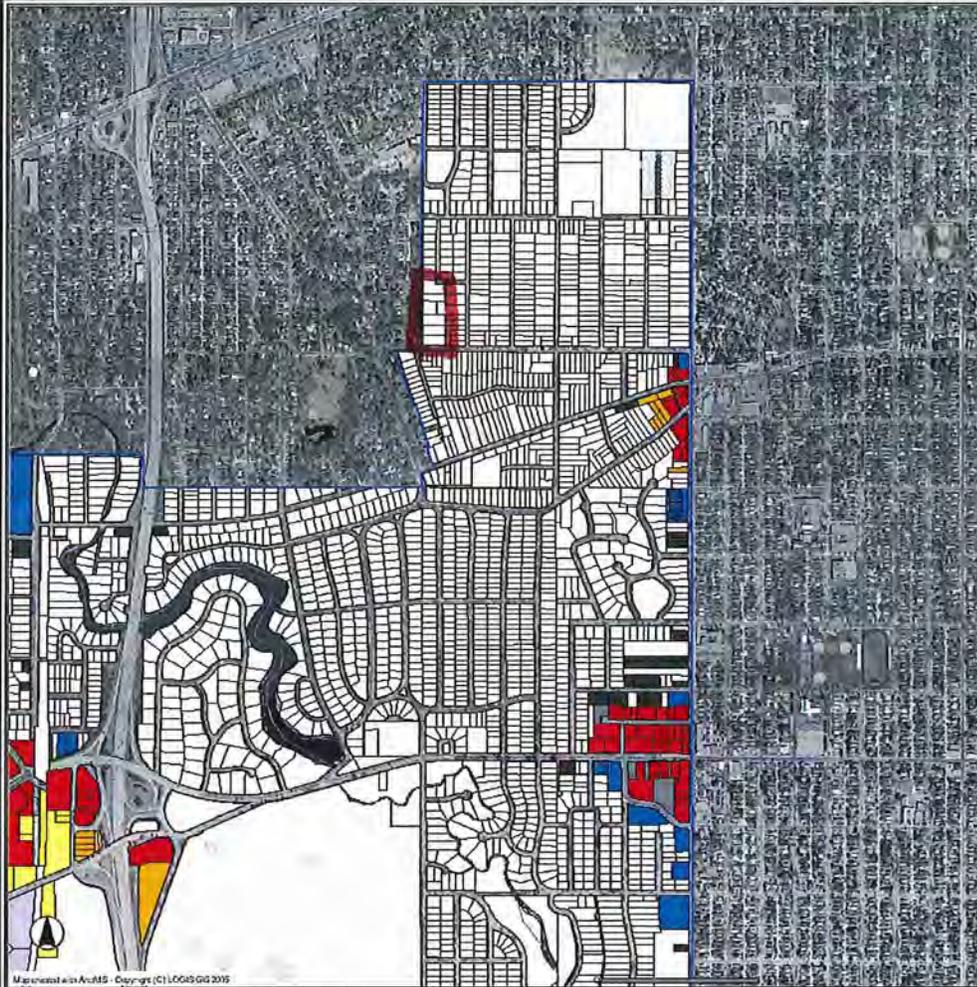
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- Surrounding House Number Labels
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- City Limits
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- Lake Names
- Lakes
- Parcels
- 2009 Aerial Photo



PID: 0702824420094
4412 Morningside Rd
Edina, MN 55416



City of Edina



- Legend**
- City Limits
 - Creeks
 - Lakes
 - Zoning
 - APD (Automobile Parking District)
 - MDD-4 (Mixed Development District)
 - MDD-5 (Mixed Development District)
 - MDD-6 (Mixed Development District)
 - PCD-1 (Planned Commercial District)
 - PCD-2 (Planned Commercial District)
 - PCD-3 (Planned Commercial District)
 - PCD-4 (Planned Commercial District)
 - PID (Planned Industrial District)
 - POD-1 (Planned Office District)
 - POD-2 (Planned Office District)
 - PRD-1 (Planned Residential District)
 - PRD-2 (Planned Residential District)
 - PRD-3 (Planned Residential District)
 - PRD-4 (Planned Residential District)
 - PRD-5 (Planned Residential District)
 - PSR-4 (Planned Senior District)
 - R-1 (Single Dwelling Unit)
 - R-2 (Double Dwelling Unit)
 - RMD (Regional Medical District)
 - Parcels
 - 2009 Aerial Photo

□ = R-1

Map created with ArcGIS - Copyright (C) 2009 GIS 2009



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**4412 Morningside Rd
Edina, MN 55416**

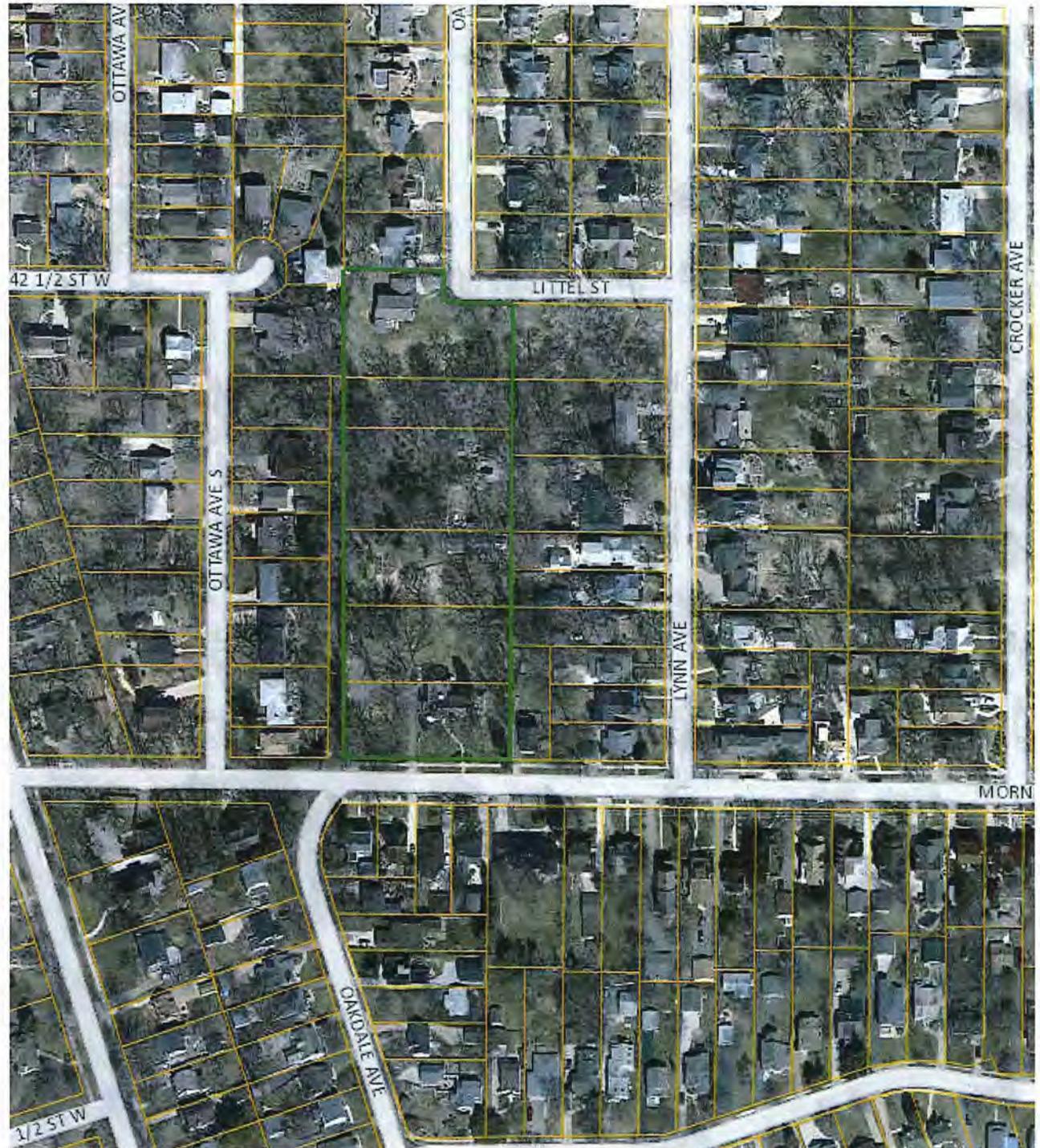


**ZONING
MAP**

Acres DuBois

- Sidell's are 50 year residents of Morningside
- Create a legacy for our father (Franklin DuBois Sidell)
 - Larger lots
 - Room for kids to play
 - Trees and Grass
 - Serenity and privacy
- Maximize the value for our Mom (Iris Ann Sidell)
 - Pass on the true value to her children
- The family's goal is to maintain the uniqueness of this property

AC



APPLICANT WARRANTIVE/PRESIDENT

Character of Morningside



- Oldest section of Edina
- 633 houses
- 65 rebuilt or heavily remodeled in the last few years (>10%)
- More than 35% have garages in the front.
- 1/3 of the community does not have sidewalks
- More than 35% of the lots are larger than 50'
- Current property is unique
 - 7,000 sq. ft. house on a 3 acre lot
- Which part do we copy?

**Very eclectic. No two houses are the same.
It's about community not house style or lot size.**

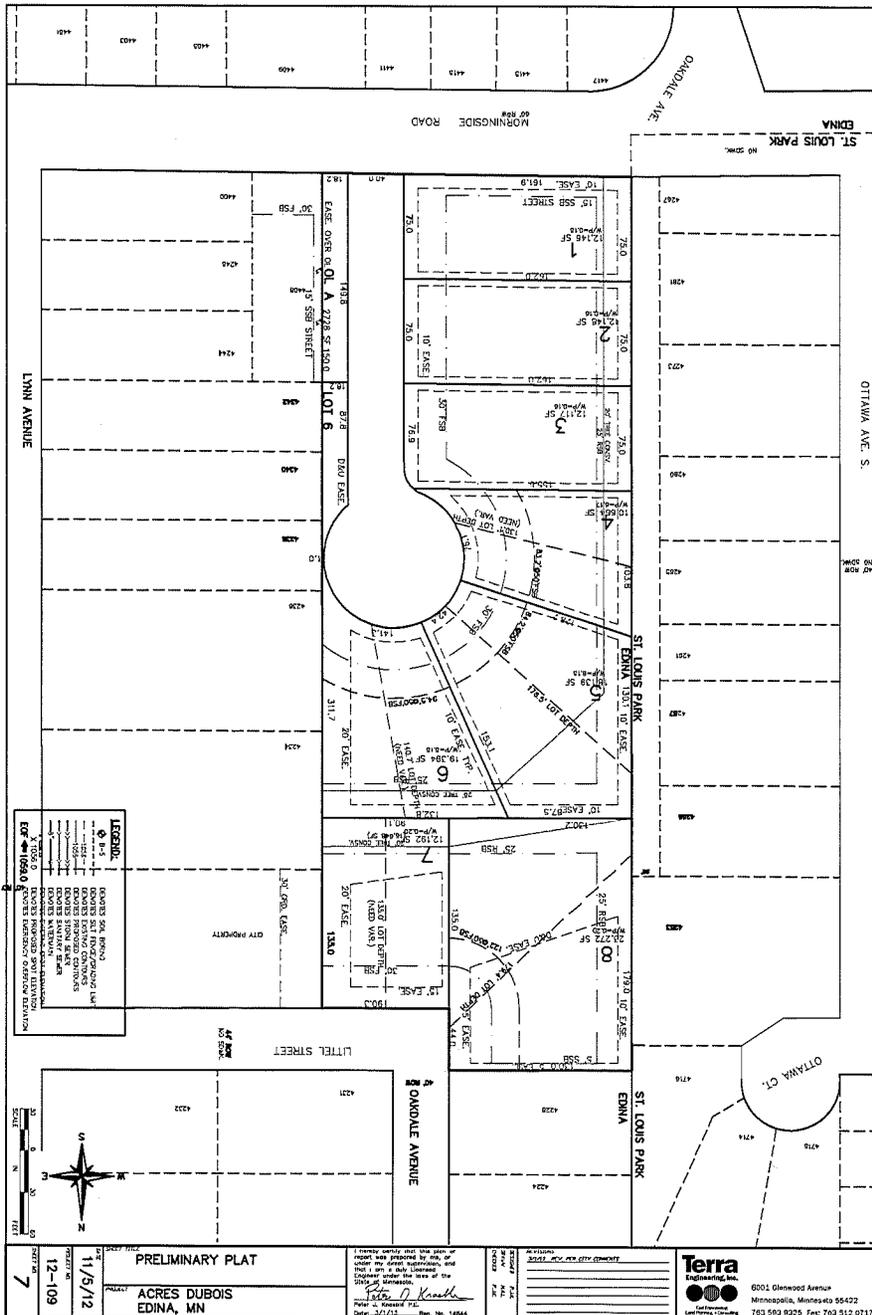
Preliminary Site Plan (Original Revised Option)

Features

- Eight lots (six new houses)
 - Six on top of the hill
 - Two accessing off Littell
- Narrow street at 40' row with a 24' pavement.
 - 18 foot wide out lot on the east side of the road
- Tree conservation area
- Best use of the natural topography
- Run-off water management plan
- Sidewalk in front of the houses

Advantages

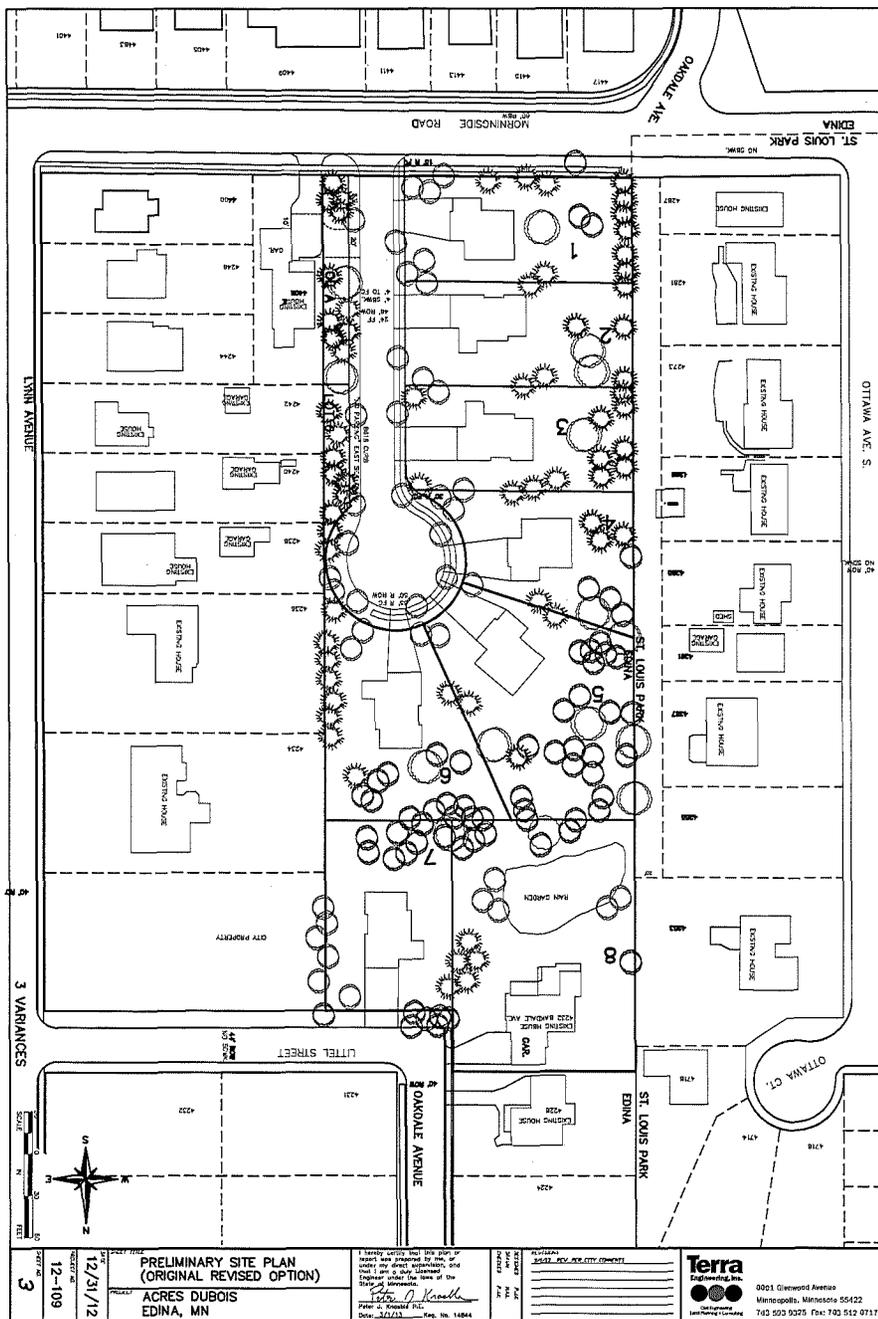
- All lot widths are 75' or greater
- 88+ feet from 4408 to the houses in lots 1,2&3
- Lower housing density than surrounding neighborhood
- Only requires three minor variances for lot depths
- Best use of the natural topography
- Greatest tree savings
- Less traffic than through street option
- Maintains the serenity and uniqueness of the original property



A1

Preliminary Plat Addressed Issues

- No lots with widths of less than 75'
- Walkability
 - Public sidewalk into the cul-de-sac
 - Connecting walkway to the city lot on Lynn Ave and Littel deemed not feasible
 - The hill on Morningside Rd needs a sidewalk
- Traffic
 - Study confirms east side road is the safest
 - Study confirms cul-de-sac will have far less traffic load than a through street
- Run-off water plan
 - Water management feature added to the low area behind 4232 Oakdale
 - City said no to some type of water management system in the center of the cul-de-sac
- 4408 Morningside Rd (Rick and Sarah Hardy)
 - Deeding the south 150' of the the out lot (Adding 2,728 sq ft, an additional 36%) to their lot
 - Moving their driveway to the cul-de-sac
 - Adding some landscaping
- Tree savings
 - Included a tree conservation area
- Size and feel of the new road
 - Family would prefer a narrower road (more of a lane)
 - City is dictating the dimensions
- Character of Morningside
 - Current property is already unique to the neighborhood
 - Our plan will maintain this uniqueness by creating a great pocket neighborhood



A10

Acres DuBois

Terra Engineering Inc.
Peter Knaeble, PE
763-593-9325





APPLICANT
NARRATIVE
(ORIGINAL)

November 7, 2012

Cary Teague
Community Development Director
City of Edina
4801 West 50th St.
Edina, MN 55424

Re: **PROJECT NARRATIVE**
Acres DuBois
4232 Oakdale Ave., Edina
4412 Morningside Rd., Edina
TE #12-109

PLANNING DEPARTMENT
NOV 13 2012
CITY OF EDINA

Dear Cary:

Based on input from City staff and neighbors, we have prepared our Preliminary Plans for the Acres DuBois development (Sheets 1-9, dated 11/5/12) and this Project Narrative for your review and approval.

EXISTING CONDITIONS:

The site is located at 4232 Oakdale Ave. and 4412 Morningside Rd. in the Morningside neighborhood of Edina. The 3.14 acre site has a home on the south side of the property that will be removed, and a home on the north side of the property that will remain.

The owners of the property are longtime Morningside residents (50 years). They have made the decision not to sell to a developer and to stay involved with this project through the approval process in an attempt to keep it as neighborhood friendly as possible.

The property is currently zone R-1 Residential and is surrounded by existing homes that are also zoned R-1 Residential. The western boundary of the property abuts the city of St. Louis Park, and is also adjacent to existing homes in St. Louis Park.

The existing homes on the site are currently connected to City sewer and water, and front on City streets that have existing public sanitary sewer and water mains.

Per City requirements, we have had a tree survey prepared by a certified forester and located all trees on the property per City zoning standards. We have also hired a wetland consultant to review the site and he has determined that there are no wetlands on the property. We have also hired a soil testing company to provide soil borings and a soil report for the site. The soil report indicates that the site is suitable for a residential development.

The site is relatively level on the south part of the property with some steep slope areas in the northern part of the property. The slopes areas over 18% have been identified, per City requirements, on the plans. The northern portion of the site is a low area that is currently landlocked with a ground overflow elevation of approximately 881. Due to the porous/granular nature of the existing soils, stormwater that is currently directed to this low area is rapidly infiltrated. The land owner estimates that the flood elevation for the July 87 super storm was only about 874, or two feet above the bottom elevation.

PROPOSED PROJECT:

As shown in the plans (Sheet 9; Conforming Concept Plan), this site could accommodate an eight lot conforming plat, utilizing a through street connecting Morningside Road and Littel Street. This conforming plat would meet all City zoning and subdivision requirements, including lot size, setbacks, lot depths and lot widths. But this eight lot conforming plat would also require significantly more site grading (including additional grading in the steep slope area) and tree removal. The conforming plat would also increase the site's impervious coverage. Given the additional grading and tree removal requirements, we are proposing a cul-de-sac street option that would also accommodate eight lots.

Our development proposal is to subdivide the property into eight single family lots that would be served by a new public cul-de-sac and existing streets. All eight lots would exceed the R-1 Residential Zoning standards for lot size (minimum 9606 sf) and lot width (minimum 75'). Three of the lots will require a variance for the 161.5' minimum lot depth (Lot 4 is 127', Lot 6 is 140', and Lot 7 is 135'). All lots would be large enough to accommodate standard sized one level and two story detached single family homes. This project would require less grading, less tree removal, and less impervious coverage than the conforming eight lot plat option.

The developer of the site will construct the public utilities and streets as shown on the plan. Other than grading for the streets and utility areas, all other tree removal and house pad grading will be done on a custom graded basis to maximize tree savings. Homes will be custom designed to the individual lot topography to minimize site grading, erosion and tree removal.



RESUBMITTED
NOV 19 2012
CITY OF MINN

We are also proposing a Tree Conservation Area Easement to maximize the long term stability of the existing significant trees on the property designated to be saved. Trees within the conservation area will not be allowed to be removed unless damaged or diseased. This Tree Conservation Area Easement will be recorded against all of the abutting lots.

Public water to serve the cul-de-sac lots will be provided by extending the existing watermain in Morningside Road. Public sanitary sewer service will be provided by a new public gravity sanitary sewer flowing north to the existing sewer in Littel Street.

Stormwater will be collected from the new public street with a storm sewer system and directed to a proposed rain garden/infiltration basin to be constructed as shown on the preliminary plans. The project soil borings indicate that this area is aptly suited for an infiltration area due to the existing porous sand and gravel subsoils. The infiltration basin will be appropriately sized to meet City and Minnehaha Creek Watershed District standards. In case of emergency or flooding conditions in the infiltration area, a backup stormwater lift station and forcemain system is proposed. This system would utilize temporary pumps as required to handle any excess storm water.

Based on our recent neighborhood meetings, we have added a concrete sidewalk to the west side of the proposed street. This sidewalk would allow residents of the six new homes to safely access the existing neighborhood sidewalk system on Morningside Road and beyond.

VARIANCE REQUEST:

As discussed above, our proposed project is requesting lot depth variances for three of the proposed eight lots. The proposed eight lots exceed the other zoning standards for lot area and lot width.

The zoning ordinance requires new subdivided lots to have a minimum lot depth of 120', or the median lot depth of the existing lots within 500' of the property, whichever is greater. Per the surveyor's calculations, the median lot depth of the existing lots within 500' of this property is 161.5'.

The proposed lot width for Lot 4 is 126', Lot 6 is 140', and Lot 7 is 135'. These three lot depths exceed the zoning ordinance standard of 120', but not the neighborhood standard of 161.5'. These proposed reduced lot widths will not adversely impact any existing neighborhood homes. As discussed above, the "Conforming Plat" for eight lots does not require any zoning variances (including lot depth variances), but would require the construction of the through street.

Minnesota statutes and Edina ordinances require that the following conditions must be satisfied affirmatively. The proposed variances will:

Relieve an undue hardship which was not self-imposed or a mere inconvenience:

Yes. Due to the unique shape of the existing property, and the unusually deep lots in the immediate neighborhood, the minimum lot depth standard of 161.5' is difficult to achieve with the cul-de-sac design plan. The through street option would not require variances, but would be more detrimental to the environment and the neighborhood.

Correct extraordinary circumstances applicable to this property but not applicable to other property in the vicinity or zoning district.

Yes. Again due to the unique shape of the existing property, the variances are required. This proposed variance is not applicable to other properties in the vicinity because they cannot be subdivided (in a conforming way) such as this property can be.

Preserve a substantial property right possessed by other property in the vicinity and zoning district.

Yes. Since the property can be subdivided into eight conforming lots utilizing the through street option, approving this variance will continue to preserve the property rights of the surrounding neighbors. Based on our neighborhood meetings, a large number of neighbors support the cul-de-sac option (and variances) vs. the through street option.

Not be materially detrimental to the public welfare or injurious to other property in the vicinity or zoning district.

Yes. As discussed above, by granting the proposed variances, there will be substantially less site grading, tree removal, and impervious area coverage. The through street option (without variances) would be more detrimental to the public welfare and the neighborhood in general.

PLANNING DEPARTMENT
NOV 19 2012
CITY OF EDINA



Based on the above information, we believe that this project will be an asset to not only the immediate neighborhood, but also to the entire City of Edina. It will provide the opportunity for seven new families to call Edina their home.

We respectfully request review and approval of this single family residential development by the City staff, Planning Commission and City Council.

If you have any questions, please call me at 763-593-9325, or email me at PeterKnaeble@gmail.com.

Sincerely,

Peter J. Knaeble

Peter J. Knaeble, PE
Terra Engineering, Inc.

RECEIVED
NOV 13 2012
CITY OF EDINA

500 FT STUDY (excl. lots in St. Louis Park)
 4232 LITTLE ST., EDINA
 4412 MORNINGSIDE RD., EDINA
 SIDELL PROPERTY; "ACRES DuBOIS"

10/30/2012
 By: Joshua Schneider, Acre Land Surveying, Inc.
 RLS#44655

<u>STREET</u>	<u>ADDRESS</u>	<u>NAME</u>	<u>LOT WIDTH (FT)</u>	<u>LOT AREA (SF)</u>	<u>LOT DEPTH (FT)</u>
Oakdale Ave.	4204	Ballard	73.5	9,541	130
Oakdale Ave.	4208	Eberle	74	9,606	130
Oakdale Ave.	4212	Anderson	74	9,606	130
Oakdale Ave.	4216	Bergstedt	74	9,606	130
Oakdale Ave.	4220	Goan	74	9,606	130
Oakdale Ave.	4224	Stevens	74	9,607	130
Oakdale Ave.	4228	Youel	74	9,607	130
Oakdale Ave.	4205	Oakdale LLC	73.5	7,363	100
Oakdale Ave.	4211	Johnson	74	9,248	125
Oakdale Ave.	4215	Graves	74	9,253	125
Oakdale Ave.	4219	Stromberg	74	9,259	125
Oakdale Ave.	4223	Knutson	74	9,265	125
Oakdale Ave.	4227	Mollderm	74	9,270	125
Oakdale Ave.	4231	Schwert	74	9,276	125
42nd St. W.	4407	Sax	60	8,808	142
Lynn Ave.	4200	Benyas	132	11,900	90
Lynn Ave.	4212	Flach	84	10,567	125
Lynn Ave.	4216	Chambers	74	9,254	125
Lynn Ave.	4220	Bracken	74	9,259	125
Lynn Ave.	4224	Rudnicki	74	9,265	125
Lynn Ave.	4228	Hansen	74	9,270	125
Lynn Ave.	4232	Greeley	74	9,276	125
Lynn Ave.	4234	Gabler	100	19,946	200
Lynn Ave.	4236	Nelson	100	19,946	200
Lynn Ave.	4238	Hunt	50	9,970	200
Lynn Ave.	4240	Norberg	50	9,970	200
Lynn Ave.	4242	Ohm	50	9,969	200
Lynn Ave.	4244	Szymczak	50	7,483	150
Lynn Ave.	4246	Cavanaugh	50	7,483	150
Lynn Ave.	4213	Finer	66.7	13,310	200
Lynn Ave.	4215	Horan	66.7	13,308	200
Lynn Ave.	4217	Carl	66.7	13,307	200
Lynn Ave.	4219	Parrish	66.7	13,305	200
Lynn Ave.	4221	Sidell	66.7	13,304	200
Lynn Ave.	4223	Obert	50	9,977	200
Lynn Ave.	4225	Chapman	50	9,976	200
Lynn Ave.	4227	Logelin	50	9,975	200
Lynn Ave.	4231	Veit	50	9,975	200
Lynn Ave.	4233	Harris	90	17,952	200
Lynn Ave.	4235	Mitchell	50	9,972	200
Lynn Ave.	4237	Badenoch	50	9,971	200
Lynn Ave.	4239	Devine	110	21,934	200
Lynn Ave.	4243	Brinkman	50	9,969	200
Lynn Ave.	4245	Hackett	50	7,474	150
Lynn Ave.	4247	Pearson	50	7,456	150
Crocker Ave.	4224	Landrud	67.3	13,439	200
Crocker Ave.	4226	Gorman	66	13,171	200
Crocker Ave.	4228	Crocker LLC	50	9,977	200
Crocker Ave.	4230	Sky Tined LLC	50	9,976	200
Crocker Ave.	4232	Buenz	67	13,367	200
Crocker Ave.	4234	Carlson	66	13,166	200
Crocker Ave.	4236	Potts	67	13,364	200
Crocker Ave.	4238	Kaiser	100	19,944	200

Crocker Ave.	4240	Thomas	100	19,940	200
Crocker Ave.	4242	Ellingson	50	9,969	200
Crocker Ave.	4244	Thompson	50	9,968	200
Crocker Ave.	4246	Warren	50	6,735	135
Crocker Ave.	4248	Siftar	50	6,735	135
Morningside Rd.	4408	Hardy	50	7,453	150
Morningside Rd.	4400	Berman	50	7,483	150
Morningside Rd.	4350	Plant	50	7,489	150
Morningside Rd.	4310	Cooper	50	7,483	150
Morningside Rd.	4308	Ratner	65	6,464	100
Morningside Rd.	4307	McGill	50	7,999	160
Morningside Rd.	4309	Toth	50	8,998	180
Morningside Rd.	4311	Murphy	50	8,998	180
Morningside Rd.	4313	Hartley	50	9,223	184
Morningside Rd.	4315	Yang	50	10,498	210
Morningside Rd.	4317	Hobbs	50	11,336	227
Morningside Rd.	4401	Flemming	50	11,336	227
Morningside Rd.	4403	Hymanson	50	10,740	215
Morningside Rd.	4405	Parlin	50	10,740	215
Morningside Rd.	4409	Monchamp	100	20,982	210
Morningside Rd.	4411	Lawrence	47	6,677	142.2
Morningside Rd.	4413	Wilde	47	6,685	142.2
Morningside Rd.	4415	Bowell	50	4,743	94.8
Morningside Rd.	4417	Goodwin	120	6,381	94.8
Morningside Rd.	4501	Tallakson	140	12,372	88
Oakdale Ave.	4306	Sundberg	63.6	8,926	140
Oakdale Ave.	4312	Ross	60	8,421	140
Oakdale Ave.	4318	Hoffman	50	7,018	140
Oakdale Ave.	4324	Milano	50	7,018	140
Oakdale Ave.	4330	Johns	50	7,018	140
Oakdale Ave.	4334	Pepin	50	7,018	140
Oakdale Ave.	4338	Anschel	50	6,981	140
Oakdale Ave.	4342	Joyce	50	6,981	140
Oakdale Ave.	4303	Carlson	47.4	5,233	109
Oakdale Ave.	4305	Pffeiderer	47.4	8,953	186
Oakdale Ave.	4307	Hannula	47.4	8,207	171
Oakdale Ave.	4309	Grotte	47.4	7,456	155
Oakdale Ave.	4315	Valgemae	47.4	6,708	140
Branson St.	4410	Aby	117	11,858	102
Branson St.	4408	Falldin	50	11,091	222
Branson St.	4406	Cap	50	11,030	222
Branson St.	4404	Bennett	50	10,719	214
Branson St.	4402	Klatt	50	10,658	213
Branson St.	4400	Vanko	50	9,954	200
Branson St.	4316	Smeby	50	9,290	185
Branson St.	4314	Schwartz	50	9,301	185
Branson St.	4312	Colburn	50	9,707	194
Branson St.	4310	Refinded, LLC	50	9,065	179
Branson St.	4308	Mills	50	8,197	163
		MEAN	63.2	10140.0	165.1
102 Total		MEDIAN	50.0	9606.0	161.5

500 FOOT OVERLAP SKETCH

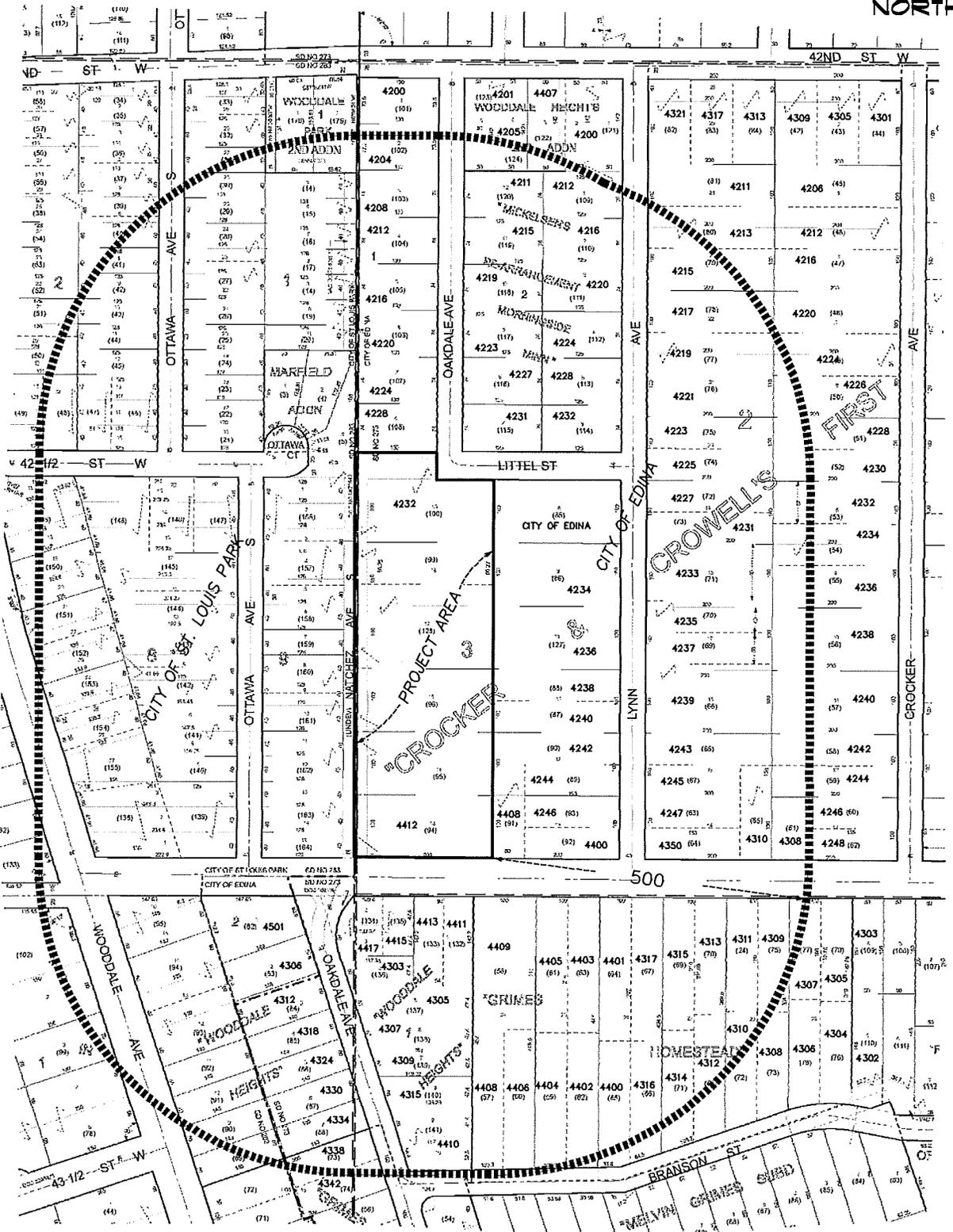
FOR: FRANK SIDELL



(IN FEET)
1 inch = 150 ft.

SEE ADDITIONAL SHEETS FOR LOT TABULATION

NORTH



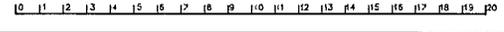
I hereby certify that this plan, sketch or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

J.P.S.
JOSHUA P. SCHNEIDER

Date: 11-15-12 Reg. No. 44655

A19

ACRE LAND SURVEYING
Blaine, MN 55449
763-238-6278 js.acrelandsurvey@gmail.com

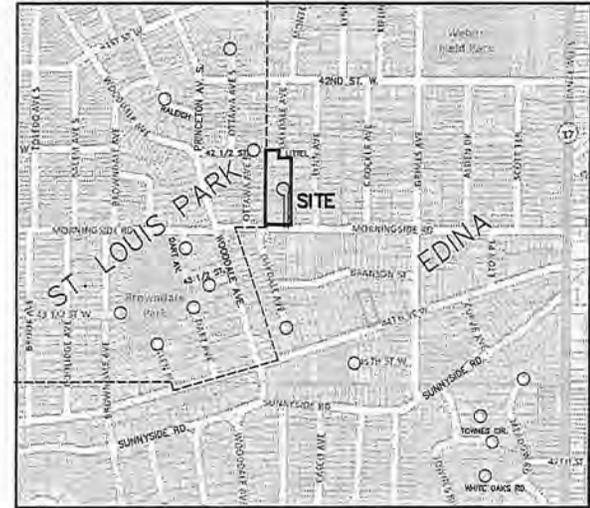


PRELIMINARY PLAT

FOR:

ACRES DUBOIS

EDINA, MINNESOTA



LOCATION MAP
NO SCALE

SHEET INDEX

SHEET	DESCRIPTION
1.	COVER SHEET / SHEET INDEX
2.	EXISTING CONDITIONS PLAN
3.	PRELIM. SITE PLAN
3A.	PRELIM. SITE RENDERING
4.	PRELIM. UTILITY PLAN
5.	PRELIM. GRADING & EROSION CONTROL PLAN
6.	PRELIM. TREE PRESERVATION PLAN
7.	PRELIM. PLAT
8.	EROSION CONTROL DETAILS, GRADING NOTES & SWPPP
9.	CONFORMING CONCEPT PLAN

CIVIL ENGINEER / LAND PLANNER

TERRA ENGINEERING INC.
6001 GLENWOOD AVE.
GOLDEN VALLEY, MN 55422
763-593-9325
PETER KNAEBLE, P.E.
peter.knaeble@gmail.com

SURVEYOR

ACRE LAND SURVEYING INC.
9140 BALTIMORE ST. NE, #100
BLAINE, MN 55449
763-238-6278
JOSH SCHNIDER, RLS
js.acrelandsurvey@gmail.com

WETLAND CONSULTANT

ARROWHEAD ENVIRONMENTAL CONSULTING
2909 MEADOW LANE
MOUND, MN 55364
612-237-5996
BEN CARLSON, WDC
ben@arrowheadec.com

APPLICANT/OWNER

FRANK SIDELL II
4232 OAKDALE AVE.
EDINA, MN 55416
612-805-6006
fsidell@gmail.com

SOIL ENGINEER

MERVYN MINDESS, PE
CONSULTING SOIL ENGINEER, PLLC
7522 VINEWOOD COURT
MAPLE GROVE, MN 55311
612-817-0096
mminde99@aol.com

FORESTRY CONSULTANT

KAMERON KYTONEN
ISA CERTIFIED ARBORIST #4237A
15 PINTO LANE
ISANTI, MN 55040
763-614-4071
kameronkytonen@hotmail.com

EDINA R-1 ZONING:

9000 SF MIN. LOT SIZE (500' MEDIAN=9606 SF PER SURVEYOR) *
75' MIN. LOT WIDTH (AT 50' FRONT SETBACK) (500' MEDIAN=50.0' PER SURVEYOR) *
50' FROM FRONT LOT LINE AT RT ANGLE TO LOT DEPTH
120' MIN. LOT DEPTH (500' MEDIAN=161.5' PER SURVEYOR) *
MID PT OF FRONT LOT LINE TO MID PT OF REAR LOT LINE
30' FRONT SETBACK (OR MATCH ADJ. HOUSES)
10' SIDE SETBACK (+6" FOR EVERY FT. IN HT. OVER 15')
5' SIDE SETBACK FOR AN ATTACHED GARAGE
15' SIDE SETBACK FOR STREET SIDE CORNER LOT (OR 30' IF
THERE IS AN 'ADJOINING' INTERIOR LOT ON THE SAME STREET)
25' REAR SETBACK
MAX. FRONT HT. IS 30' TO ROOF MID PT. OR
35' TO ROOF PEAK
LOT WIDTH TO PERIMETER RATIO > 0.1
MAX. BUILDING COVERAGE 25%
30' MIN. STREET FRONTAGE

* OR MEDIAN OF LOTS WITHIN 500'
(WHICHEVER IS GREATER)

SITE ADDRESS: 4232 OAKDALE AVE. &
4412 MORNINGSIDERD., EDINA, MN
SITE AREA: 136,828 SF (3.141 AC.)
LEGAL DESCRIPTION: SEE SURVEY

MAR 04 2013

File



6001 Glenwood Avenue
Minneapolis, Minnesota 55422
763 593 9325 Fax 763 512 0711

REVISIONS
DATE
BY
CHECKED

I hereby certify that the plan or report was prepared by me, or that I am a duly licensed Professional Engineer in the State of Minnesota.
Peter J. Wozniak, P.E.
Date: 3/1/13 Reg. No. 14444

SHEET TITLE
COVER SHEET
SHEET INDEX
PROJECT ACRES DUBOIS
EDINA, MN

DATE 11/5/12

PROJECT NO 12-109

SHEET NO 1

OTTAWA AVE. S.

40' ROW

70'

80'

100'

120'

140'

160'

180'

200'

220'

240'

260'

280'

300'

320'

340'

360'

380'

400'

420'

440'

460'

480'

500'

520'

540'

560'

580'

600'

620'

640'

660'

680'

700'

720'

740'

760'

780'

800'

820'

840'

860'

880'

900'

920'

940'

960'

980'

1000'

1020'

1040'

1060'

1080'

1100'

1120'

1140'

1160'

1180'

1200'

1220'

1240'

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2120'

2140'

2160'

2180'

2200'

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4080'

4100'

4120'

4140'

4160'

4180'

4200'

4220'

4240'

4260'

4280'

4300'

4320'

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5200'

5220'

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5900'

5920'

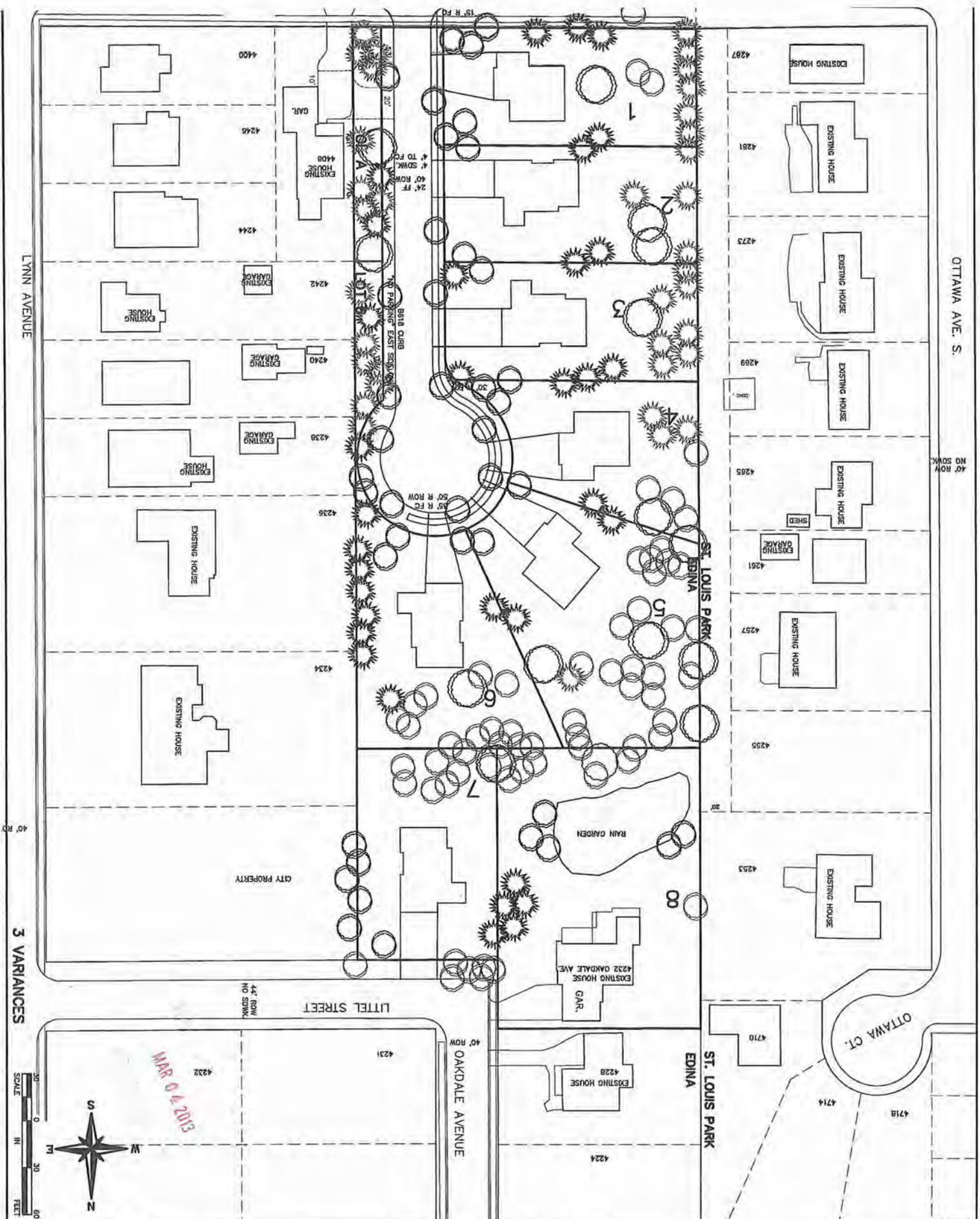
5940'

5960'

5980'

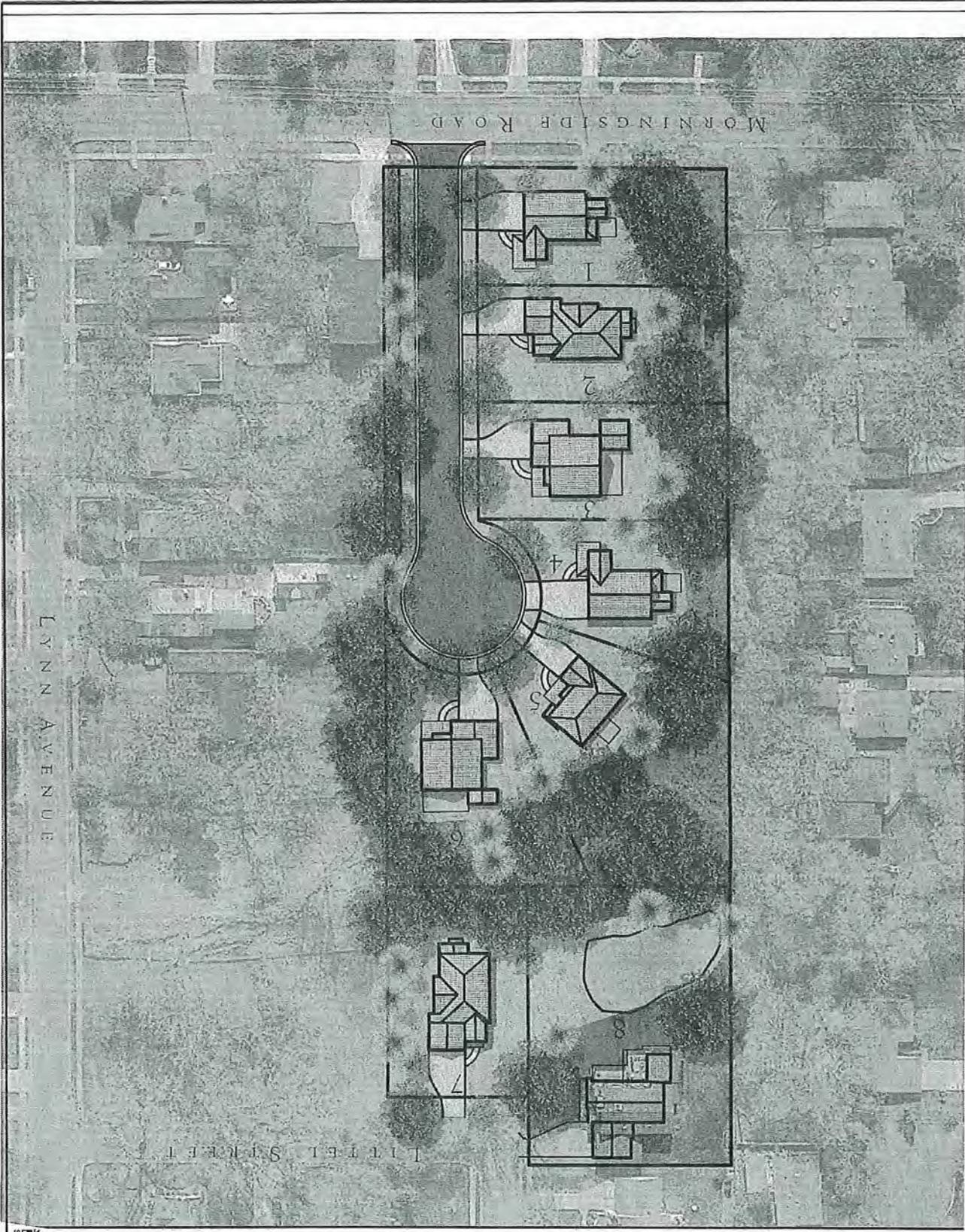
6000'

6020



SHEET NO. 3	PROJECT NO. 12-109	DATE 12/31/12	PRELIMINARY SITE PLAN (ORIGINAL REVISED OPTION)	I hereby certify that this plan or report was prepared by me, or under my direct supervision, and that I am a duly Licensed Engineer under the laws of the State of Minnesota. <i>Peter J. Knoebel</i> Peter J. Knoebel P.E. Date: 3/1/13 Reg. No. 14844	REVISIONS NO. DATE BY REV. FOR CITY COMMENTS	Terra Engineering, Inc. 6001 Glenwood Avenue Minneapolis, Minnesota 55422 763 593 9325 Fax: 763 512 0717
		PROJECT ACRES DUBOIS EDINA, MN				

ACR



MAR 0 3 2013



A23

SHEET NO. 3A	DATE 11/5/12	PROJECT NO. 12-109	SHEET TITLE PRELIMINARY SITE RENDERING	I hereby certify that this plan or report was prepared by me, or under my direct supervision, and that I am a duly Licensed Engineer under the laws of the State of Minnesota. <i>Peter J. KnoobM</i> Peter J. KnoobM P.E. Date: 3/1/13 Reg. No. 14844	REVISIONS NO. DATE BY REV. CITY COMMENTS
	PROJECT ACRES DUBOIS EDINA, MN	APPROVED DATE DRAWN DATE P.L.K.	Terra Engineering, Inc. 6001 Glenwood Avenue Minneapolis, Minnesota 55422 763 593 9325 Fax: 763 512 0711		

OTTAWA AVE. S.

40' ROW
NO SOWK

889.52/876.10SH

5.1

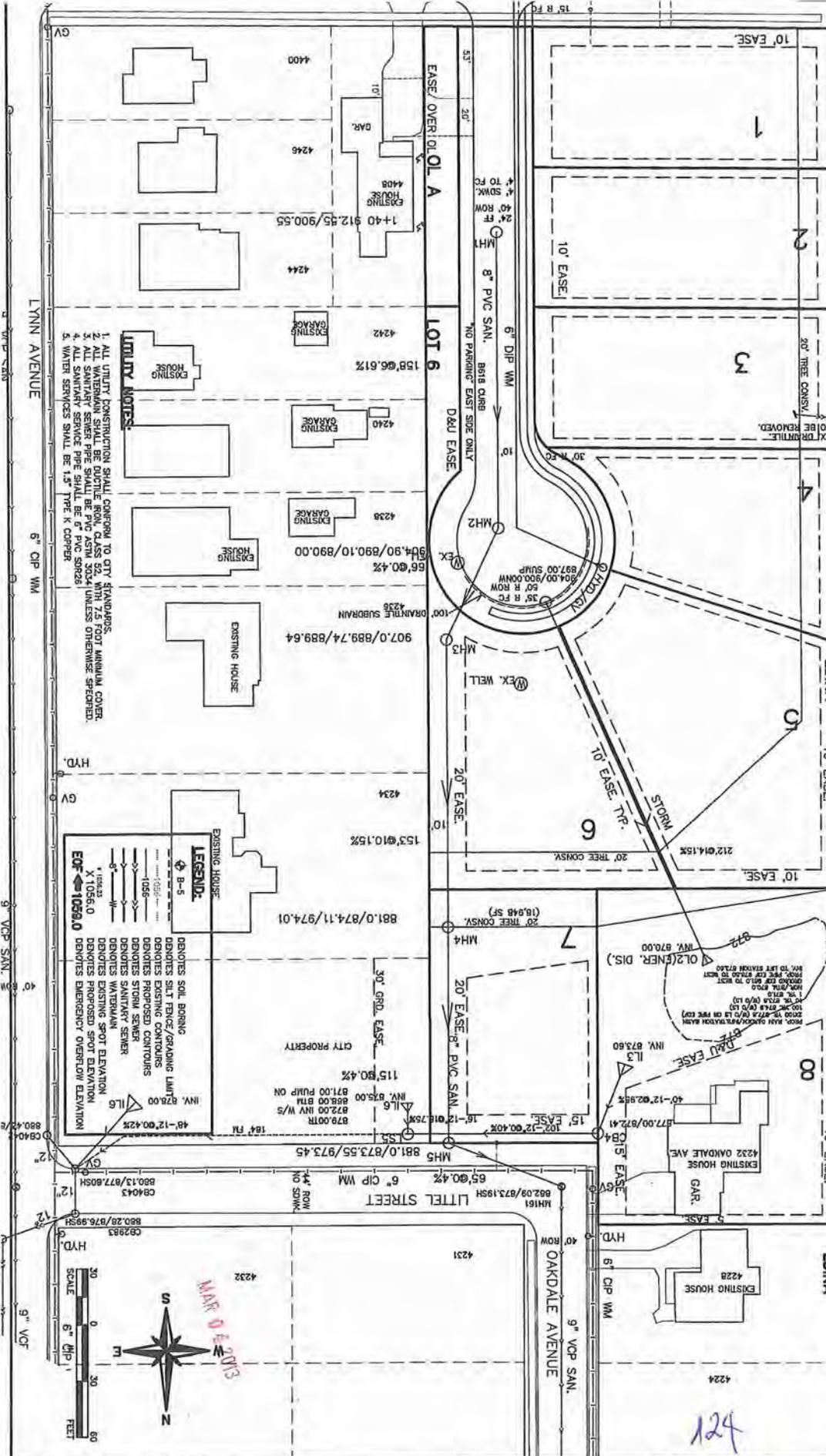


ST. LOUIS PARK

ST. LOUIS PARK

EDINA

EDINA



- LOCALITY NOTES:**
1. ALL UTILITY CONSTRUCTION SHALL CONFORM TO CITY STANDARDS.
 2. ALL SANITARY SERVICE PIPE SHALL BE 15" TYPE K COPPER.
 3. ALL SANITARY SERVICE PIPE SHALL BE 15" TYPE K COPPER.
 4. ALL SANITARY SERVICE PIPE SHALL BE 15" TYPE K COPPER.
 5. WATER SERVICES SHALL BE 1.5" TYPE K COPPER.

LEGEND:

- B-5 DENOTES SOIL BORING
- 10-66 DENOTES SALT FENCE/GRADING LIMIT
- 10-66 DENOTES EXISTING CONTROLS
- 10-66 DENOTES STORM TROUSERS
- 10-66 DENOTES SANITARY SENDER
- 10-66 DENOTES WATERMAIN
- 10-66 DENOTES EXISTING SPOT ELEVATION
- 10-66 DENOTES PROPOSED SPOT ELEVATION
- 10-66 DENOTES EMERGENCY OVERFLOW ELEVATION

SCALE: 1" = 30' VERTICAL, 1" = 60' HORIZONTAL

PRELIMINARY UTILITY PLAN

PROJECT: ACRES DUBOIS
EDINA, MN

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

Peter J. Knoebel
Peter J. Knoebel P.E.
Date: 3/17/12 Reg. No. 14544

DATE	BY	REVISION

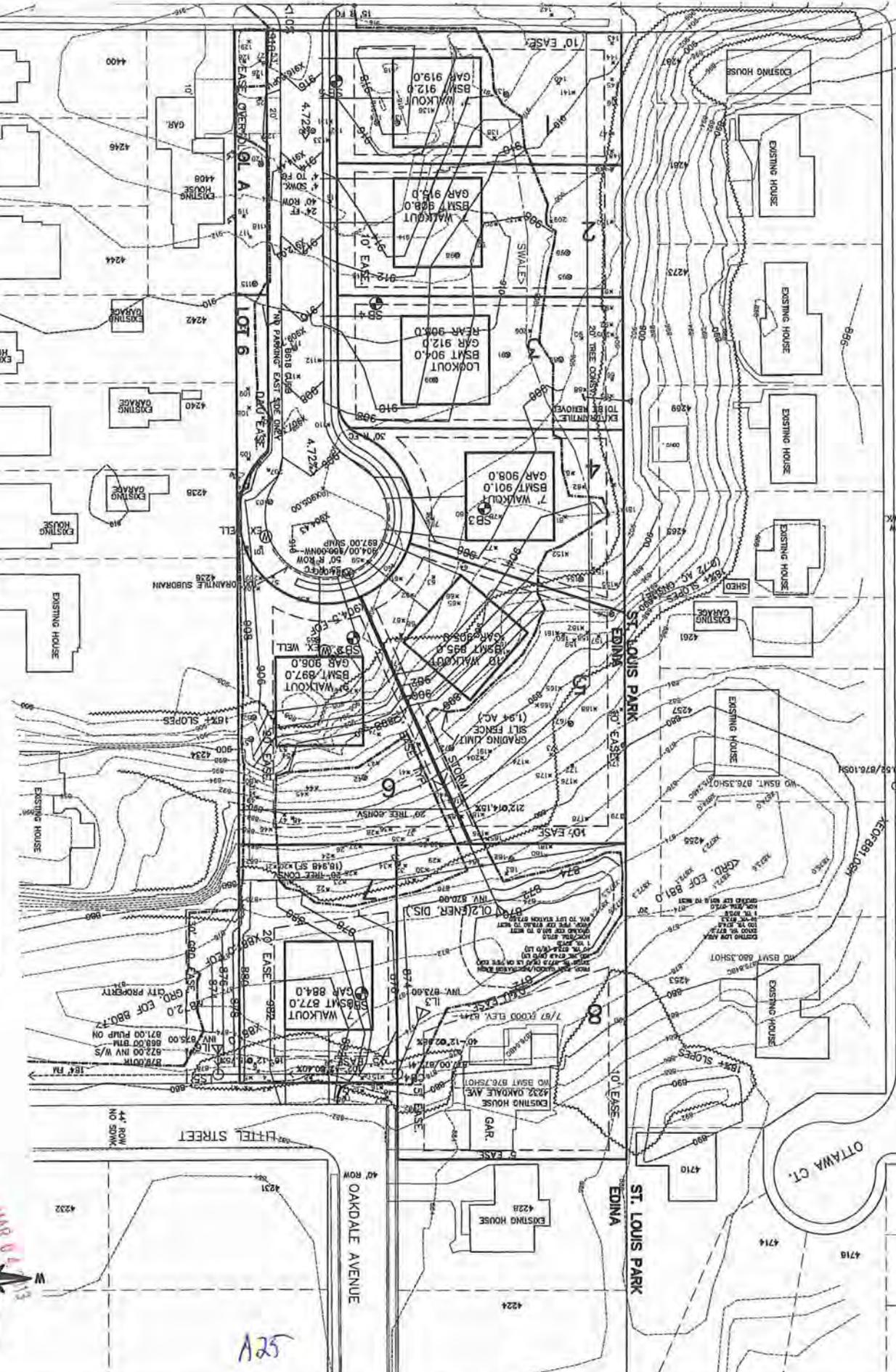
Terra Engineering, Inc.

6001 Glenwood Avenue
Minneapolis, Minnesota 55422
763 593 9325 Fax: 763 512 0717

SHEET NO. 12-109
DATE: 11/5/12
PROJECT: ACRES DUBOIS
EDINA, MN

OTTAWA AVE. S.

40' ROW
NO SWK



LEGEND:

- ⊕ B-S DENOTES SOIL BORING
- ⊕ B-S DENOTES SOIL TEST/LOADING LIGHT
- 100' DENOTES PROPOSED CONTOURS
- 100' DENOTES STORM SEWER
- 100' DENOTES SANITARY SEWER
- 100' DENOTES WATERMAIN
- 100' DENOTES EXISTING SPOT ELEVATION
- 100' DENOTES PROPOSED SPOT ELEVATION
- 100' DENOTES EMERGENCY OVERFLOW ELEVATION

WARNING

THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE MANNER. THE EXCAVATING CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL UTILITIES PRIOR TO EXCAVATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MAY BE INCURRED BY HIS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

PRELIMINARY GRADING AND EROSION CONTROL PLAN

PROJECT: ACRES DUBOIS EDINA, MN

DATE: 11/5/12

SHEET NO: 5

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

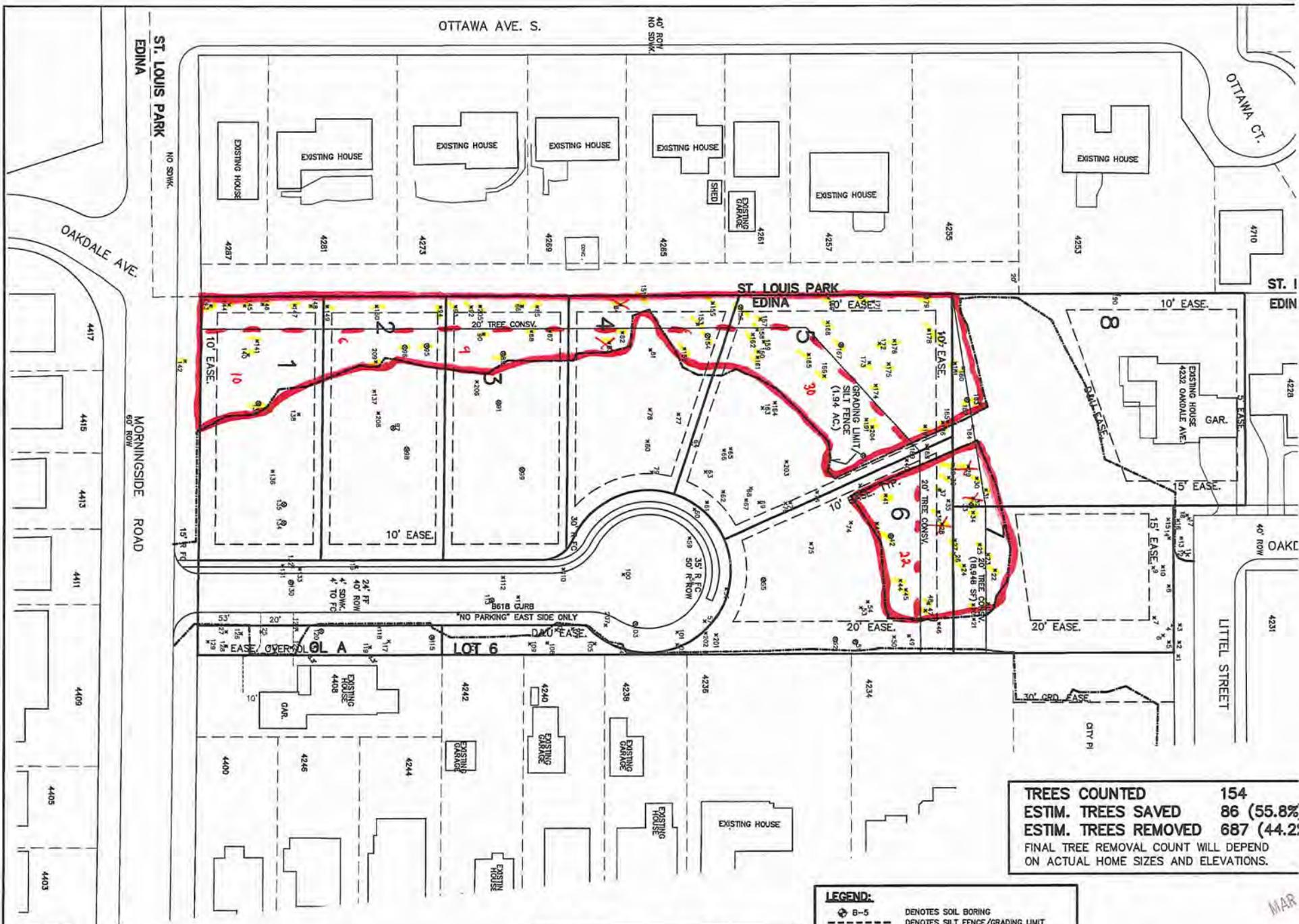
Peter J. Knobold
Peter J. Knobold P.E.
Date: 3/1/13 Reg. No. 14844

DATE	BY	REVISIONS

Terra Engineering, Inc.

6001 Glenwood Avenue
Minneapolis, Minnesota 55422
763 593 9325 Fax: 763 512 0717

A27



TREES COUNTED	154
ESTIM. TREES SAVED	86 (55.8%)
ESTIM. TREES REMOVED	687 (44.2%)
FINAL TREE REMOVAL COUNT WILL DEPEND ON ACTUAL HOME SIZES AND ELEVATIONS.	

SEE DETAILED TREE INVENTORY SPREADSHEET FOR MORE INFORMATION.

TREE INVENTORY BY KAMERON KYTONEN, CERTIFIED ARBORIST #4237A. TREE SURVEY BY ACRE LAND SURVEY (8-12).

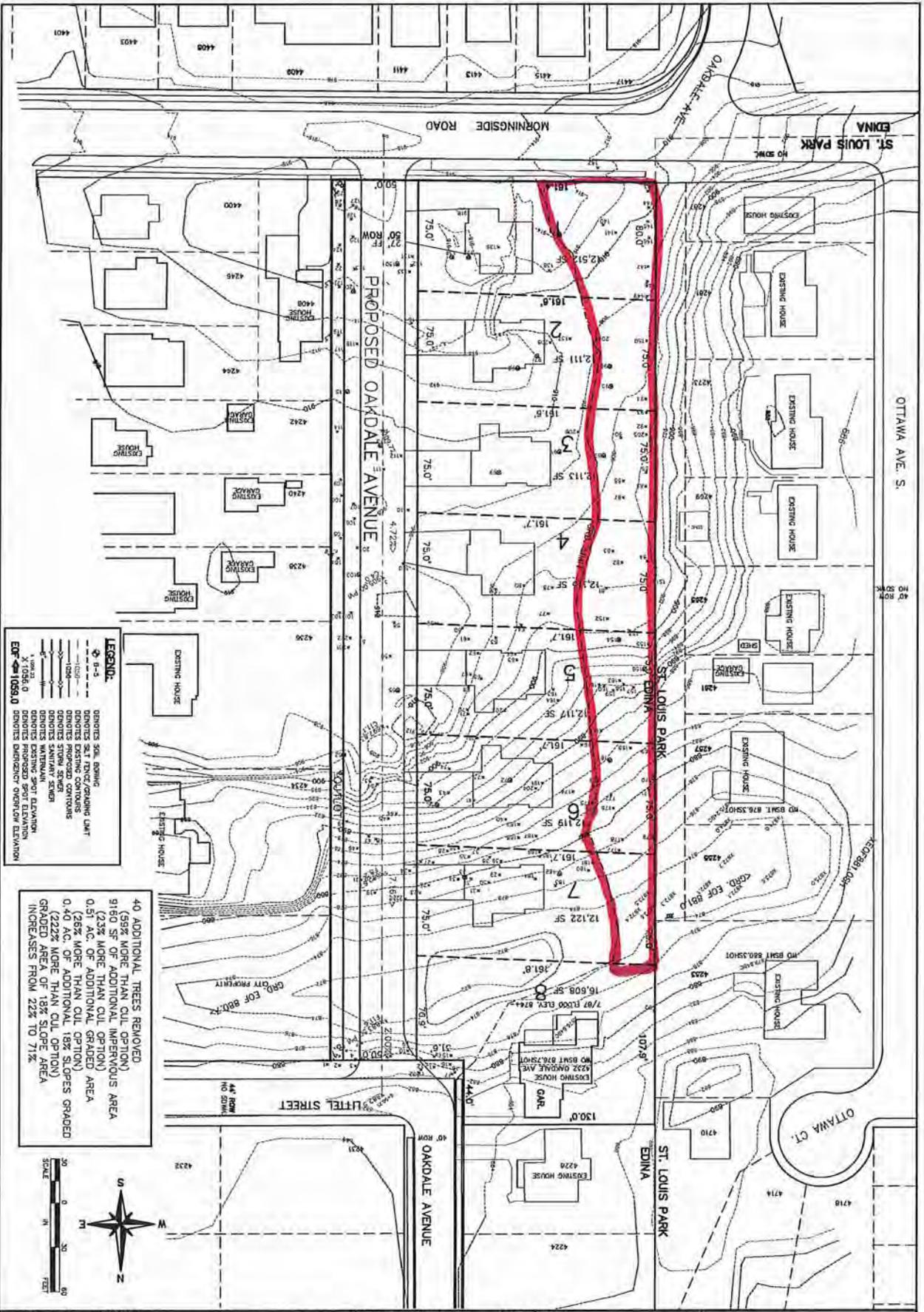
LEGEND:

- ⊕ B-5 DENOTES SOIL BORING
- DENOTES SILT FENCE/GRADING LIMIT
- - - - - DENOTES EXISTING CONTOURS
- - - - - DENOTES PROPOSED CONTOURS
- DENOTES STORM SEWER
- DENOTES SANITARY SEWER
- DENOTES WATERMAIN
- 1056.23 DENOTES EXISTING SPOT ELEVATION
- X 1056.0 DENOTES PROPOSED SPOT ELEVATION
- EOF ⊕ 1059.0 DENOTES EMERGENCY OVERFLOW ELEVATION

WARNING
 THE LOCATIONS OF EXISTING UNDERGROUND UTILITY WAY ONLY. THE EXCAVATING CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES IN FAILURE TO EXACTLY LOCATE AND PRESERVE ANY

MAR
 30
 SCAI

128



- LEGEND:**
- DENOTES SOIL BOUNDARY
 - - - DENOTES SET DRIVE/GRADING LIMIT
 - - - DENOTES EXISTING CONTOURS
 - - - DENOTES PROPOSED CONTOURS
 - - - DENOTES STORMWATER FLOW
 - - - DENOTES WATERSHED
 - - - DENOTES EXISTING SPOT ELEVATION
 - - - DENOTES PROPOSED SPOT ELEVATION
 - - - DENOTES EXISTING SURFACE ELEVATION
 - - - DENOTES PROPOSED SURFACE ELEVATION

40 ADDITIONAL TREES REMOVED (59% MORE THAN CUL OPTION)
 9180 SF OF ADDITIONAL IMPERVIOUS AREA (23% MORE THAN CUL OPTION)
 0.51 AC. OF ADDITIONAL GRADED AREA (28% MORE THAN CUL OPTION)
 0.40 AC. OF ADDITIONAL 18% SLOPES GRADED (222% MORE THAN CUL OPTION)
 INCREASES FROM 22% TO 71%



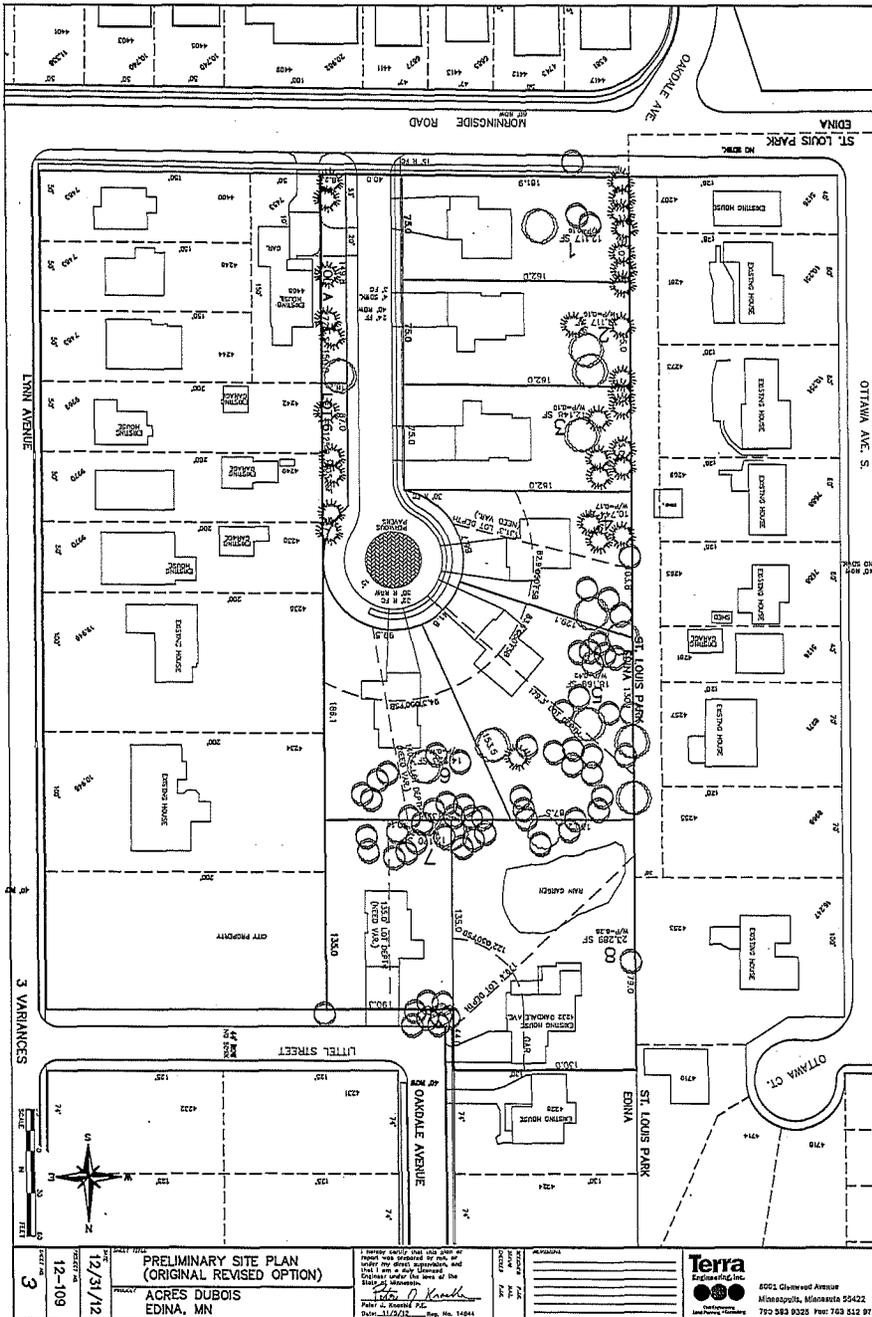
PROJECT NO. 9A
 DATE 11/5/12
 SHEET 12-109

CONFORMING CONCEPT PLAN
 ACRES DUBOIS
 EDINA, MN

I hereby certify that this plan or report was prepared by me, or under my direct supervision, and that I am a duly Licensed Engineer under the laws of the State of Minnesota.
Robert D. Knudsen
 Robert D. Knudsen P.E.
 Date: 11/5/12 Reg. No. 14844

NO.	DATE	REVISION

Terra Engineering, Inc.
 6001 Glenwood Avenue
 Minneapolis, Minnesota 55422
 763 593 9325 Fax: 763 512 0717



Modified Original Proposal

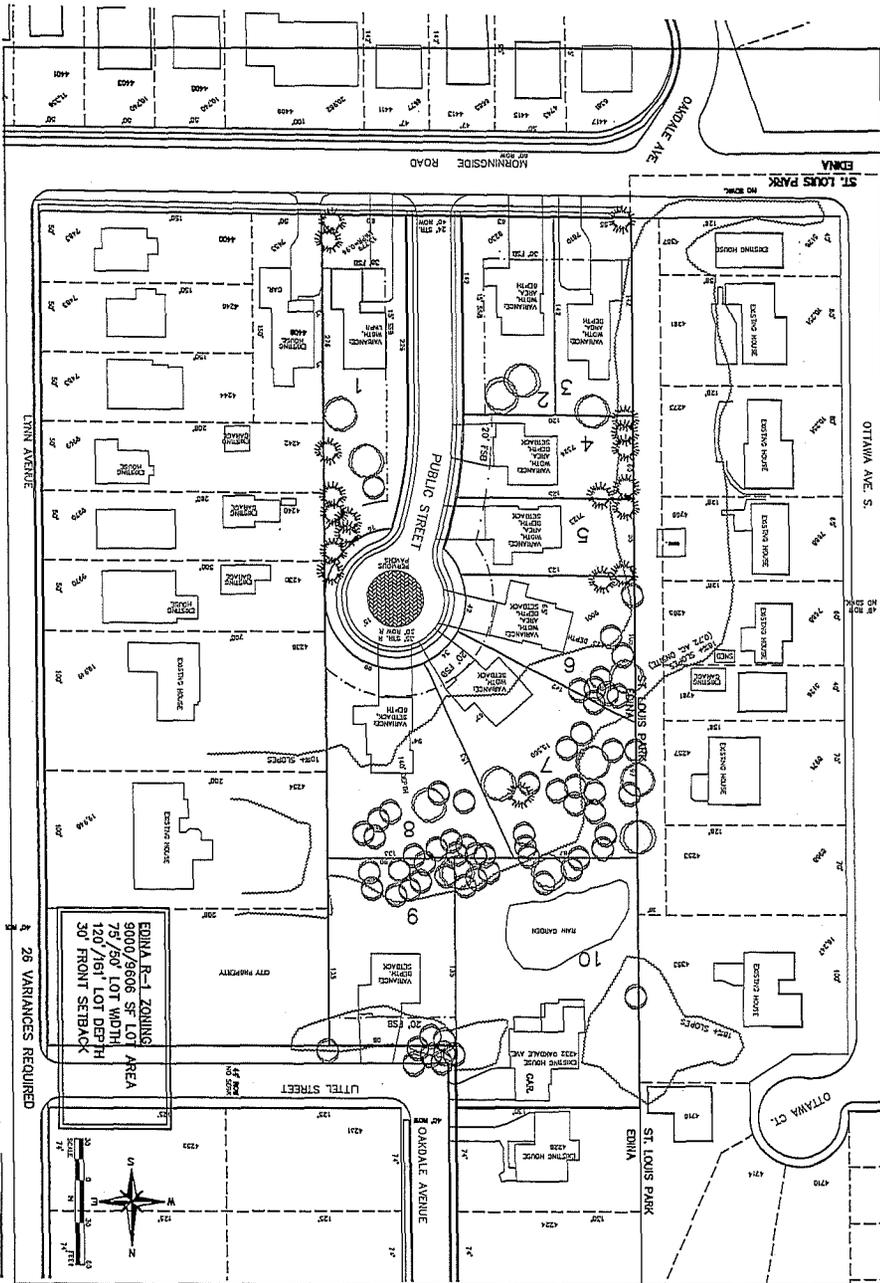
Features

- Narrowed the street to a 40' row with a 24' pavement.
 - Suggest parking be allowed on only one side.
- Increased the out lot on the east side to 18'
- Added a pervious center to the cul-de-sac bulb.
 - Could be grass pavers?
- Agreed to move the driveway for 4408 to the new road.

Advantages

- No 50' lots
- 88' from the east boundary to the houses in lots 1,2&3
- Lower housing density
- Only requires three minor variances for lot depths
- Greatest tree savings
- Less traffic
- Maintains the serenity of the original property

4281



Sketch Plan A

Features

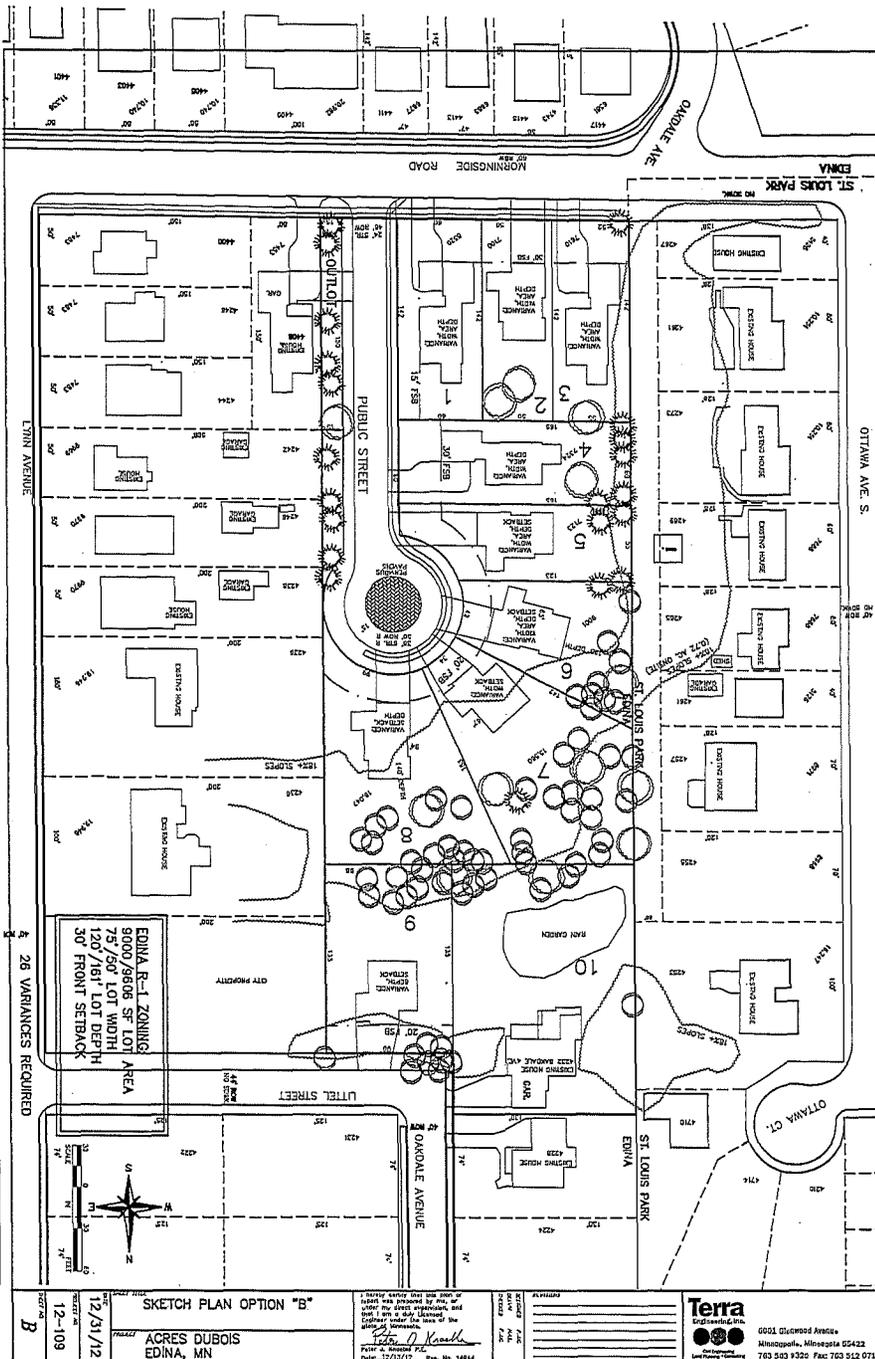
- Creates 6 smaller lots (<75') similar to the 50' lots of the surrounding area.
- 40' ROW 24' paved surface road.
- Road moved one lot over from 4408.
- Houses on lots 1,2&3 load off of Morningside Rd similar to the majority of the house on this street.
- Lot 1 may save some trees (lots 2&3 will lose some)
- Pervious center added to the cul-de-sac bulb

Issues

- Neighborhood uproar about houses being built on 50' lots.
 - The Family will not agree to be held to different building regulations than the rest of the community.
- Higher density
- Estimate net loss of trees at 14
- More park usage fees
 - We will only pay for two
- 26 Variances needed
 - The Family will need a legal statement from the City guaranteeing that the variances will be available when the houses are built.

AJ86

SHEET NO. 12-109	TITLE SKETCH PLAN "A"	DATE 12/31/12	PREPARED BY ACRES DUBOIS EDINA, MN	I hereby certify that this plan or report was prepared by me, or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota. <i>John J. Kowalski</i> John J. Kowalski P.E. License No. 14884	Terra Engineering Inc. 8021 Glenwood Avenue Minneapolis, Minnesota 55422 763 563 9320 Fax: 763 512 8717



Sketch Plan B

Features

- Creates 6 smaller lots (<75') similar to the 50' lots of the surrounding area.
- 40' ROW 24' paved surface road.
- Road is next to 4408 with a 15' out lot.
- House on lot 1 is about 60' from the east boundary.
- Houses on lots 1,2&3 load off of Morningside Rd similar to the majority of the house on this street.
- Pervious center added to the cul-de-sac bulb

Issues

- Neighborhood uproar about houses being built on 50' lots.
 - The Family will not agree to be held to different building regulations than the rest of the community.
- Higher density
- Estimate net loss of trees at 15
- More park usage fees
 - We will only pay for two
- 26 Variances needed
 - The Family will need a legal statement from the City guaranteeing that the variances will be available when the houses are built.

A28c

Tree Inventory
Sidell Property, Acres Debuis

Terra Engineering Inc.
 Revised: 11/5/12

PER PLAN DATED 11/5/12

Notes from tree inventory by Kytonen:

1. Inventory performed on Saturday, July 21, 2012 by Kameron Kytonen, ISA Certified Arborist #4237A; numbered tags were set in the trees and the spreadsheet below is a summary of the data collected.
2. For tree numbers 201-209, ribbons were used for these groups of conifers; the number was written on the ribbon; we tried to put the ribbon in the middle of the said group.
3. Many of the insignificant understory trees consist of common buckthorn, a non-native invasive tree.
4. Oak wilt may be present in the north part of the property (where some dead red oaks were noted below).
5. Some of the large bur oaks are rotting/decaying and have signs of insect damage in the trunk.
6. All coniferous trees shown are 6 foot or greater height.

Tree #	Species	DBH (in.)	Number of stems	Condition	Notes	Save	Remove
1	boxelder	25.5		good	leaner		Remove
2	boxelder	10		good	leaner		Remove
3	boxelder	11.5		good	leaner		Remove
4	boxelder	11		good	leaner		Remove
5	boxelder	12.5		good	leaner		Remove
6	boxelder	10		fair	leaner		Remove
7	boxelder	3,5,8,10	4	good	leaner		Remove
8	boxelder	13		good			Remove
9	American elm	14		good			Remove
10	boxelder	14		good			Remove
11	green ash	12		fair		Save	
12	green ash	11		fair		Save	
13	black walnut	6.5		good		Save	
14	black walnut	8		good			Remove
15	green ash	8.5		excellent			Remove
16	black walnut	9.5		good		Save	
17	green ash	11,11,12.5	3	fair		Save	
18	black walnut	6		good		Save	
19	bur oak	28		fair		Save	
20	boxelder	7		fair		Save	
21	boxelder	11.5		good			Remove
22	boxelder	15		good		Save	
23	American elm	10.5		good		Save	
24	boxelder	13		good		Save	
25	bur oak	36		fair		Save	
26	boxelder	6		fair		Save	
27	boxelder	9.5		excellent		Save	
28	bur oak	12		dead		Save	DON'T COUNT

29	boxelder	18		poor	leaner	Save	DON'T COUNT
30	red elm	7.5		fair		Save	
31	American elm	15		good		Save	
32	bur oak	26		dead		Save	DON'T COUNT
33	bur oak	26		good		Save	
34	boxelder	6		good		Save	
35	boxelder	6		fair		Save	
36	boxelder	6		good		Save	
37	hackberry	7		fair		Save	
38	boxelder	6		good		Save	
39	boxelder	9		fair	leaner	Save	
40	bur oak	16.5		dead		Remove	DON'T COUNT
41	boxelder	8		good		Save	
42	bur oak	26		good		Save	
43	boxelder	6		fair		Save	
44	hemlock	4		good		Save	
45	boxelder	7		good		Save	
46	American elm	9		good		Remove	
47	boxelder	13		good	leaner	Save	
48	boxelder	17.5		good	leaner	Save	
49	green ash	7.5		good		Remove	
50	basswood	9,13	2	good		Remove	
51	bur oak	16		excellent		Remove	
52	bur oak	24.5		excellent		Remove	
53	bur oak	17		fair		Remove	
54	white spruce	6		good		Remove	
55	bur oak	9,11,12,13,14	5	good		Remove	
56	bur oak	22		poor		Remove	DON'T COUNT
57	sugar maple	6		poor		Remove	DON'T COUNT
58	red elm	8		good		Remove	
59	American elm	11.5		good		Remove	
60	bur oak	27.5		fair		Remove	
61	boxelder	7		fair	leaner	Remove	
62	mulberry	8		good		Remove	
63	boxelder	7		fair		Remove	
64	bur oak	14,22	2	fair	leaner	Remove	
65	American elm	26		poor		Remove	DON'T COUNT
66	boxelder	7.5		fair		Remove	
67	American elm	10.5		poor		Remove	DON'T COUNT
68	boxelder	6		fair		Remove	
69	boxelder	7		good		Remove	
70	black walnut	9		good		Remove	
71	hackberry	6		good		Remove	
72	bur oak	21.5		good		Save	
73	boxelder	9		good	leaner	Remove	
74	boxelder	9		good		Remove	

75	silver maple	11		fair		Remove	
76	mulberry	7.5		good		Remove	
77	blue spruce	17		fair		Remove	
78	red maple	11		fair		Remove	
79	balsam fir	10.5		fair		Remove	
80	crabapple	5.5	2	fair		Remove	DON'T COUNT
81	blue spruce	14		fair		Remove	
82	blue spruce	13		fair	Save		
83	blue spruce	11.5		poor	Save		DON'T COUNT
84	blue spruce	10		dead	Save		DON'T COUNT
85	blue spruce	15		good	Save		
86	blue spruce	11		fair	Save		
87	blue spruce	8.5		poor	Save		DON'T COUNT
88	blue spruce	9.5		fair	Save		
89	silver maple	15.5		good	Save		
90	blue spruce	9.5		poor	Save		DON'T COUNT
91	bur oak	33		good		Remove	
92	blue spruce	13.5		fair	Save		
93	blue spruce	12		fair	Save		
94	blue spruce	12		poor	Save		DON'T COUNT
95	black walnut	21		excellent	Save		
96	black walnut	23		excellent	Save		
97	bur oak	30		good		Remove	
98	bur oak	32		good		Remove	
99	red oak	39		good		Remove	
100	blue spruce	12		poor		Remove	DON'T COUNT
101	blue spruce	11.5		poor		Remove	DON'T COUNT
102	blue spruce	10.5		poor		Remove	DON'T COUNT
103	bur oak	38		good		Remove	
104	blue spruce	6		fair	Save		
105	blue spruce	12		poor	Save		DON'T COUNT
106	blue spruce	12		fair		Remove	
107	blue spruce	12		fair		Remove	
108	blue spruce	11		poor	Save		DON'T COUNT
109	blue spruce	19		fair	Save		
110	bur oak	26		fair		Remove	
111	bur oak	22		poor		Remove	DON'T COUNT
112	bur oak	27		fair		Remove	
113	bur oak	43		excellent		Remove	
114	blue spruce	11		poor	Save		DON'T COUNT
115	bur oak	29.5		good	Save		
116	blue spruce	15		poor		Remove	DON'T COUNT
117	blue spruce	14.5		fair	Save		
118	blue spruce	11		poor		Remove	DON'T COUNT
119	blue spruce	11		poor	Save		DON'T COUNT
120	bur oak	20		good	Save		

A31

121	blue spruce	12		fair		Save	
122	blue spruce	10.5		fair		Save	
123	silver maple	7		good			Remove
124	blue spruce	12		good		Save	
125	blue spruce	7		fair	leaner		Remove
126	blue spruce	12		fair			Remove
127	blue spruce	10.5		fair			Remove
128	blue spruce	12		fair		Save	
129	blue spruce	15.5		good		Save	
130	bur oak	22		good			Remove
131	bur oak	7,15	2	poor	leaner		Remove DON'T COUNT
132	bur oak	21.5		fair			Remove
133	white spruce	12		fair			Remove
134	bur oak	25.5		good			Remove
135	bur oak	23		good			Remove
136	blue spruce	7		good			Remove
137	bur oak	22.5		fair			Remove
138	bur oak	24		fair			Remove
139	bur oak	20,22.5	2	good		Save	
140	bur oak	22		fair		Save	
141	bur oak	14.5		fair		Save	
142	American elm	33		poor		Save	DON'T COUNT
143	blue spruce	12		poor		Save	DON'T COUNT
144	blue spruce	11.5		fair		Save	
145	blue spruce	11.5		fair		Save	
146	blue spruce	11.5		poor		Save	DON'T COUNT
147	blue spruce	14		good		Save	
148	blue spruce	12		fair		Save	
149	blue spruce	16		good		Save	
150	blue spruce	14.5		poor		Save	DON'T COUNT
151	Siberian elm	28		fair		Save	
152	bur oak	16		poor		Save	DON'T COUNT
153	bur oak	12		fair		Save	
154	bur oak	18		good		Save	
155	Siberian elm	20		fair		Save	
156	bur oak	16		good		Save	
157	bur oak	5,6	2	fair		Save	
158	red elm	11.5		fair		Save	
159	bur oak	14		dead		Save	DON'T COUNT
160	buckthorn	8		fair	invasive	Save	DON'T COUNT
161	buckthorn	7		fair	invasive	Save	DON'T COUNT
162	bur oak	23		fair		Save	
163	silver maple	12		good			Remove
164	green ash	8		fair			Remove
165	red maple	6		excellent		Save	
166	black cherry	11,12	2	fair		Save	

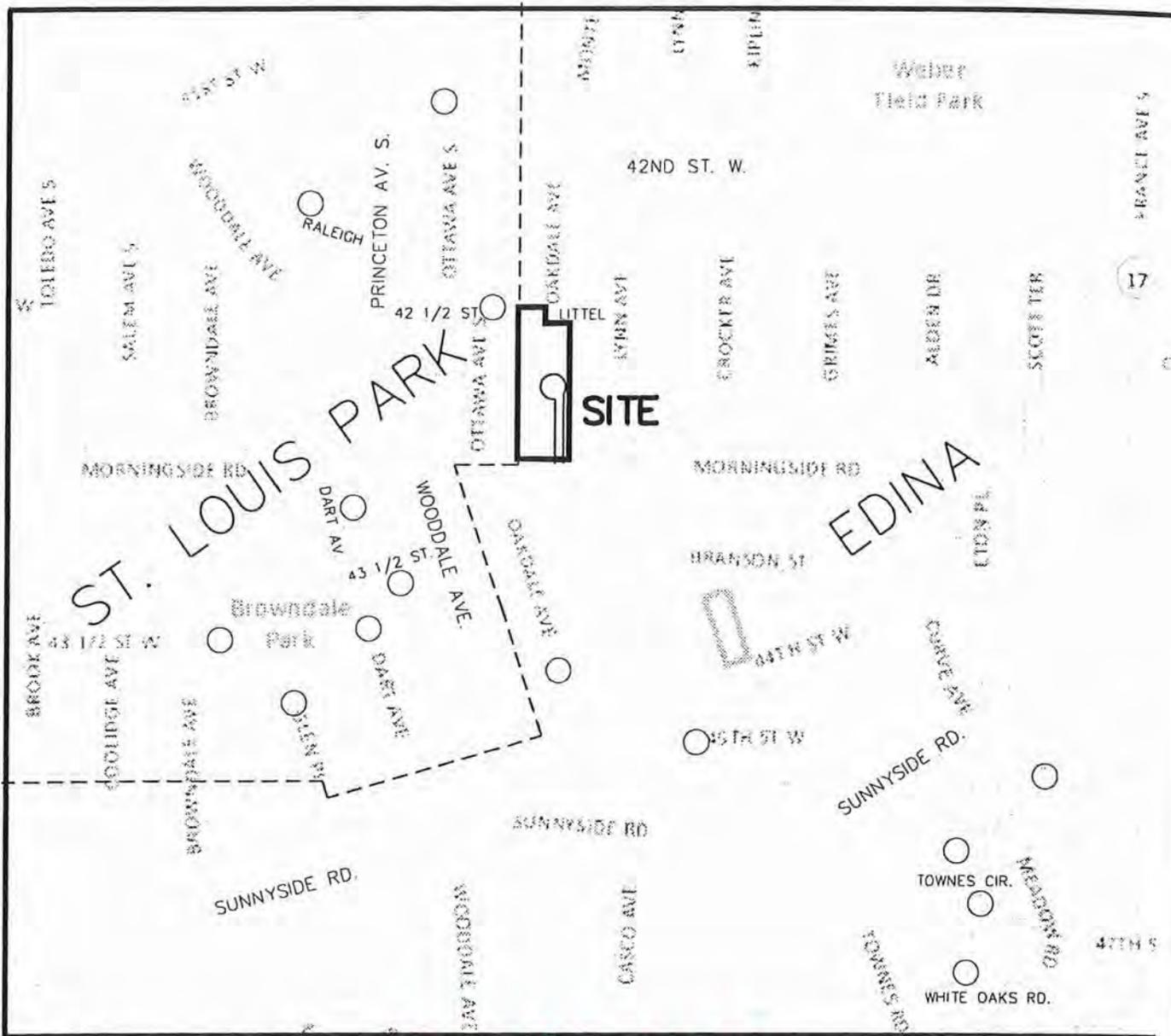
A32

167	bur oak	29		excellent		Save	
168	black cherry	7.5		fair		Save	
169	boxelder	9		good		Save	
170	bur oak	20		good		Save	
171	boxelder	7.5		fair	leaner	Save	
172	red oak	11		dead		Save	DON'T COUNT
173	American elm	26.5		excellent		Save	
174	green ash	6		good		Save	
175	boxelder	12		poor	leaner	Save	DON'T COUNT
176	red oak	17		dead		Save	DON'T COUNT
177	red oak	10		dead		Save	DON'T COUNT
178	red oak	16		dead		Save	DON'T COUNT
179	black walnut	24		excellent		Save	
180	boxelder	14		poor	leaner	Save	DON'T COUNT
181	red maple	10		excellent		Save	
182	bur oak	29		good	leaner	Save	
183	sugar maple	10		good		Save	
184	boxelder	8		good			Remove
185	green ash	13.5		fair		Save	
186	green ash	10		good		Save	
187	black ash	7		good		Save	
188	green ash	7		fair			Remove
189	bur oak	16.5		fair			Remove
190	green ash	19		good		Save	
191	red maple	7		fair		Save	
201	hemlock	2,2,2	3	fair			Remove DON'T COUNT
202	hemlock	2,3	2	fair			Remove DON'T COUNT
203	balsam fir	2"-6"	18	good			Remove DON'T COUNT
204	balsam fir	1"-4"	11	good		Save	DON'T COUNT
205	white pine	4		good		Save	
206	arborvitae	2"-5"	25	good			Remove DON'T COUNT
207	arborvitae	2"-5"	13	good			Remove DON'T COUNT
208	white spruce	6		poor			Remove DON'T COUNT
209	balsam fir	6		fair		Save	

200 trees surveyed

154 trees counted
(excl. poor, dead, small, etc.)

86	68
55.8%	44.2%
Saved	Removed



LOCATION MAP
NO SCALE

**CUL-DE-SACS
IN THE AREA**

SHEET INDEX

<u>SHEET</u>	<u>DESCRIPTION</u>
1.	COVER SHEET / SHEET INDEX
2.	EXISTING CONDITIONS PLAN
3.	PRELIM. SITE PLAN
3A.	PRELIM. SITE RENDERING
4.	PRELIM. UTILITY PLAN
5.	PRELIM. GRADING & EROSION CONTROL PLAN
6.	PRELIM. TREE PRESERVATION PLAN
7.	PRELIM. PLAT
8.	EROSION CONTROL DETAILS, GRADING NOTES & SWPPP
9.	CONFORMING CONCEPT PLAN

A34



This is not a legally recorded map. It represents a compilation of information and data from city, county and other sources.

Print Date: Thu Jul 11 13:22:33 2002

200 400 Feet

Area already vacated
Area proposed to be vacated

N.1/2 SE.1/4 SEC

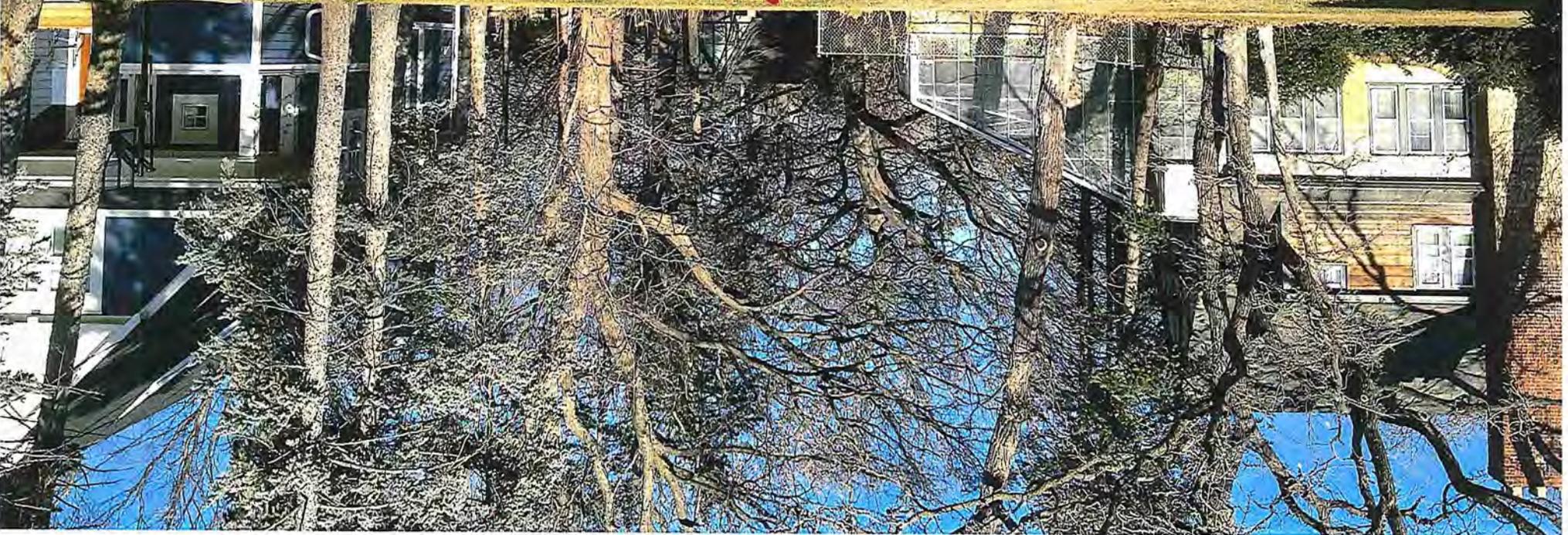
S/NW/7	S/NE/7
N/SW/7	N/SE/7
S/SW/7	S/SE/7

Eighth/Quar

A35

MORNING SIDE

CUL-DE-SAC LOCATION



A36

HOME TO BE
REMOVED

A37







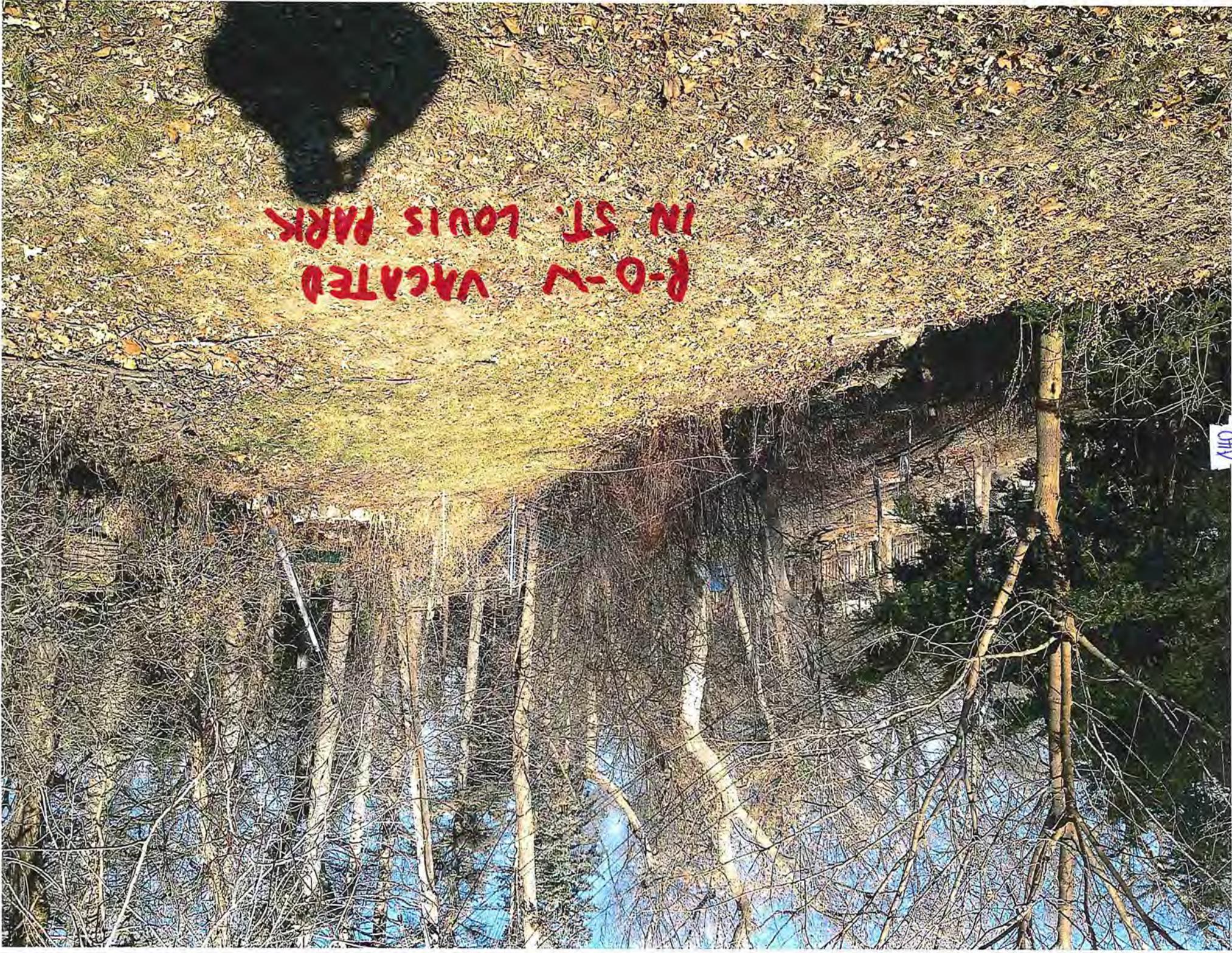
LOT LINE

PROPERTY LINE
STAKE

A39

R-O-W VACATED
IN ST. LOUIS PARK

0414





LITTLE ST

A41

this property proposed for

SUBDIVISION

By: Frank Sidell (952) 920-1197

for information contact

EDINA PLANNING (952) 826-0369

LITTLE

143





Memorandum

DATE: *December 6, 2012*

TO: *Mr. Cary Teague, Community Development Director
Mr. Wayne Houle, Director of Engineering
City of Edina*

FROM: *Charles Rickart, P.E., P.T.O.E.*

RE: *Acres Dubois Residential Development
Traffic Review
City of Edina, MN
WSB Project No. 1686 - 36*

Background

The purpose of this study is to determine the potential traffic and safety impacts the proposed development of the Acres Dubois residential development plan has on the adjacent roadway system. The site is located north of Morningside Road and west of Lynn Avenue on the border between the City of Edina and the City of St Louis Park. The existing site includes two single family residential units. One has access on the south side of the site directly to Morningside Road and the other has access on the north side of the site to Oakdale Avenue/Little Street. The project location is shown on **Figure 1**.

The proposed site plan includes development of eight (8) single family residential homes including maintaining one of the existing homes and the construction of seven (7) new homes. Access to six (6) of the homes will be via a new cul-de-sac street connection from Morningside Road. The one remaining existing home and one new home will have access on Oakdale Avenue/Little Street on the north end of the site. The proposed site plan is shown on **Figure 2**.

An alternative site plan was also considered which extends a new through street from Morningside Road to Little Street. All driveway access would be provided on this street. **Figure 3** shows this alternative site layout.

The following sections of this report document the analysis and anticipated traffic and safety impacts the proposed development will have on the adjacent roadway system.

Site Trip Generation

The estimated trip generation from the proposed development is shown below in **Table 1**. The trip generation rates used to estimate the site traffic are based on extensive surveys for other similar land uses as documented in the Institute of Transportation Engineers *Trip Generation Manual*, 9th Edition. The table shows the total daily, AM peak hour and PM peak hour trip generation for the proposed eight (8) signal family homes.

To analyze a worst case condition, it was assumed that all eight (8) lots were new homes and would generate new trips to the roadway system.

Table 1 - Estimated Site Trip Generation

Use	Size	ADT			AM Peak			PM Peak		
		Total	In	Out	Total	In	Out	Total	In	Out
Single Family Residential	8 Units	78	39	39	6	1	5	8	5	3

Source: Institute of Transportation Engineers Trip Generation Manual, 9th Edition

Traffic Operations Analysis

In order to determine a base line condition, existing traffic counts were conducted on Morningside Road and Lynn Avenue December 3rd – December 5th 2012. Based on these counts the following traffic conditions currently exist on these streets.

Morningside Road

Average Daily Traffic (ADT)	1,350
AM Peak Hour	138
PM Peak Hour	111

Lynn Avenue

Average Daily Traffic (ADT)	360
AM Peak Hour	41
PM Peak Hour	31

Morningside Road is an east/west street providing local access to France Avenue and Wooddale Avenue. This type of higher functioning street will carry slightly larger traffic than a typical local City street such as Lynn Avenue. Typical local City streets will have traffic volumes ranging from 200 to 2000 vehicles per day (vpd) depending on the density of the area and its connection to other higher functioning streets (i.e. collectors or arterials).

The traffic operations analysis was conducted established methodologies documented in the Transportation Research Board, *Highway Capacity Manual 2000* (HCM). The HCM provides a series of analysis techniques that are used to evaluate traffic operations. The analysis techniques defined in the HCM are different for roadway segments and intersections. Roadway segment analysis focuses on the average daily volume to capacity ratio, while intersection analysis focuses on delay caused by the AM or PM peak hour critical movements. It is therefore possible to have an efficient intersection located along a poorly operating roadway segment, or a poorly operating intersection along an otherwise free-flowing roadway.

Roadway segments or intersections are given a Level of Service (LOS) grade from “A” to “F” as defined in the HCM. LOS A is the best traffic operating condition, and drivers experience minimal delay along a roadway segment or at an intersection LOS. E represents the condition where the roadway segment or intersection is at capacity. LOS F represents a condition where there is more traffic than can be handled by the roadway segment or intersection. At a stop sign-controlled intersection, LOS F would be characterized by exceptionally long vehicle queues and/or great difficulty in finding an acceptable gap for drivers on the minor legs at a through-street intersection.

For purposes of this review, the roadway segment analysis was conducted at a planning level. The analysis consists of comparing the average daily flow rates on a roadway segments to the ADT roadway segment traffic capacity threshold volumes. A two-lane urban street with driveway and street access has a capacity threshold of 2000 vpd at LOS A and 4000 vpd at LOS E/F. The existing and anticipated (with the development) roadway segment traffic operations are displayed on **Table 2**. As shown on the table, both roadway segments are operating at LOS A as they exist today and with the proposed development traffic included.

Table 2 – Roadway Segment Traffic Analysis

Street	Location	Existing AADT	LOS	Projected AADT	LOS
Morningside Road	West of Lynn Ave	1350	A	1410	A
Lynn Avenue	North of Morningside Rd	360	A	370	A

The LOS ranges for both signalized and un-signalized intersections are shown in **Table 3**. The threshold LOS values for un-signalized intersections are slightly less than for signalized intersections. This variance was instituted because drivers’ expectations at intersections differ with the type of traffic control. A given LOS can be altered by increasing (or decreasing) the number of lanes, changing traffic control arrangements, adjusting the timing at signalized intersections, or other lesser geometric improvements. LOS also changes as traffic volumes increase or decrease.

Table 3 - Intersection Level of Service Measures

	Control Delay (Seconds)	
	Signalized	Un-Signalized
A	≤ 10	≤ 10
B	10 – 20	10 – 15
C	20 – 35	15 – 25
D	35 – 55	25 – 35
E	55 – 80	35 – 50
F	> 80	> 50

Source: Highway Capacity Manual

The existing and anticipated (with the development) intersection operations were evaluated for both the AM and PM peak hours. Synchro/SimTraffic microsimulation software was utilized to model the area intersections with the peak hour counts, lane geometry, and traffic control. The results of this analysis are illustrated on **Table 4**.

Table 4 – Intersection Traffic Analysis

Intersection	AM Peak Hour				PM Peak Hour			
	Existing Delay (sec)	LOS	Projected Delay (sec)	LOS	Existing Delay (Sec)	LOS	Projected Delay (sec)	LOS
Morningside Rd at Lynn Ave	4.2	A	4.6	A	3.8	A	4.0	A
Morningside Rd at Site Access	NA	NA	1.7	A	NA	NA	1.6	A
Morningside Rd at Oakdale Ave	11.4	B	11.5	B	10.6	B	10.7	B
Lynn Ave at Little St	2.2	A	2.2	A	2.1	A	2.1	A

Delay and LOS = Worst case intersection movement

Results of the intersection traffic analysis shown in the above table indicate that the existing intersections in the area are operating at an acceptable LOS and would continue to operate at acceptable levels with the proposed development.

Traffic Safety Review

In addition to the traffic operations analysis a traffic safety review was also conducted. This included reviewing the crash history in the area, reviewing the sight distance required at the new street intersection to Morningside Road and reviewing the site plan for safety issues or concerns.

Crash History – Crash data provided from Minnesota Department of Public Safety (DPS) records from the past 10 years was reviewed for the area. Based on that review no reported crashes have occurred on Morningside Road at Lynn Ave or Oakdale Ave or between the intersections. However, just west at Ottawa Ave, an eastbound minivan sideswiped a parked vehicle in 2002. Further west, the intersection of Morningside Rd and Wooddale Ave has had 5 crashes since 2005 (3 right angles, 1 sideswipe opposing, 1 ran off road). To the east, there have been 5 crashes in the Grimes Ave area since 2002 (3 right angles, 1 head-on, 1 ran off road).

Sight Distance Analysis – As-built plans for Morningside Road were reviewed to determine if sight distance would be a concern with the construction of a new intersection on Morningside Road between Lynn Avenue and Oakdale Avenue. The analysis included review both the horizontal and vertical profile of the existing roadway in relationship to the new intersection location and the speed of traffic on Morningside Road. The Minnesota Department of Transportation (MnDOT) and the American Association of State Highway and Transportation Officials (AASHTO) guidelines were used for the analysis.

Two primary conditions were analyzed:

- The sight distance required for a stopped vehicle at the new street intersection to safely pull out onto Morningside Road – Based on the requirements a sight line of 440 feet from the intersection looking east or west on Morningside Road would be required. Looking east there is sufficient sight lines to see any oncoming vehicle. Looking west there is a crest of a hill located approximately 475 feet from the intersection. Based on this distance there is also a sufficient sight line looking this direction to make a decision to pull out from the intersection.
- The sight distance required to stop for a vehicle in the street turning from Morningside Road onto the new street – Based on the requirements a sight distance of 200 feet would be required to see a vehicle or other object in the street to safely stop traveling at 30mph. Traveling westbound on Morningside Road there is sufficient distance to safely stop. Traveling eastbound, a vehicle would be able to see another vehicle or object in the road at the crest of the hill approximate 475 feet from the intersection. This also is sufficient distance to safely stop prior to the intersection.

Site Plan Review – The site plan was reviewed including both roadway alignment alternatives. The following should be considered:

1. With either roadway alignment alternative a stop signs should be placed on the new street approaching Morningside Road.
2. Provide a clear sight line from the intersection in both directions, keep it clear of trees or other landscaping that would be in the line of vision.
3. With either roadway alignment alternative the driveway adjacent to the new street for the existing property at 4408 Morningside Road should be realigned from Morningside Road to the new street to eliminate turning conflicts.

4. The roadway alignment for the cul-de-sac option has the following advantages/disadvantages:

Advantages

- Traffic will not be able to cut-through to the neighborhood to the north.
- Only six of the eight lots will access Morningside Road directly.
- Less opportunity for increased conflicts at the new Morningside Road intersection.

Disadvantages

- Only one access to the proposed six lots for emergency vehicles.

5. The roadway alignment for the through street option has the following advantages/disadvantages:

Advantages

- Two ways to access the street for emergency vehicles.

Disadvantages

- Traffic will be able to cut-through this new street to the neighborhood to the north.
- All the new lots and potentially cut-through traffic would access Morningside Road at the new intersection increasing the potential for additional conflicts and crashes.

Conclusions / Recommendation

Based on the traffic review documented in this memorandum, WSB has concluded the following:

- The proposed development will generate 78 daily trips, six (6) AM peak hour trips and eight (8) PM peak hour trips.
- Based on the traffic operations analysis the intersections and roadway segments on both Morningside Road and Lynn Avenue will operate at satisfactory (LOS A or B) with the proposed site developed.
- No crashes have occurred in the area adjacent to the site in the past 10 years.
- Sufficient sight lines exist for traffic exiting or entering the proposed new street intersection on Morningside Road.
- With both roadway alignment alternatives safety would be improved by relocating the driveway adjacent to the new street, installation of a stop sign for the new street approaching Morningside Road and providing a clear sight line from the intersection.
- Although both roadway alignment alternatives would operate at satisfactory LOS, the cul-de-sac option would provide less opportunity for cut-through traffic therefore less opportunity for possible conflicts and crashes at the Morningside intersection.

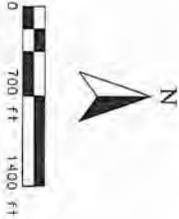


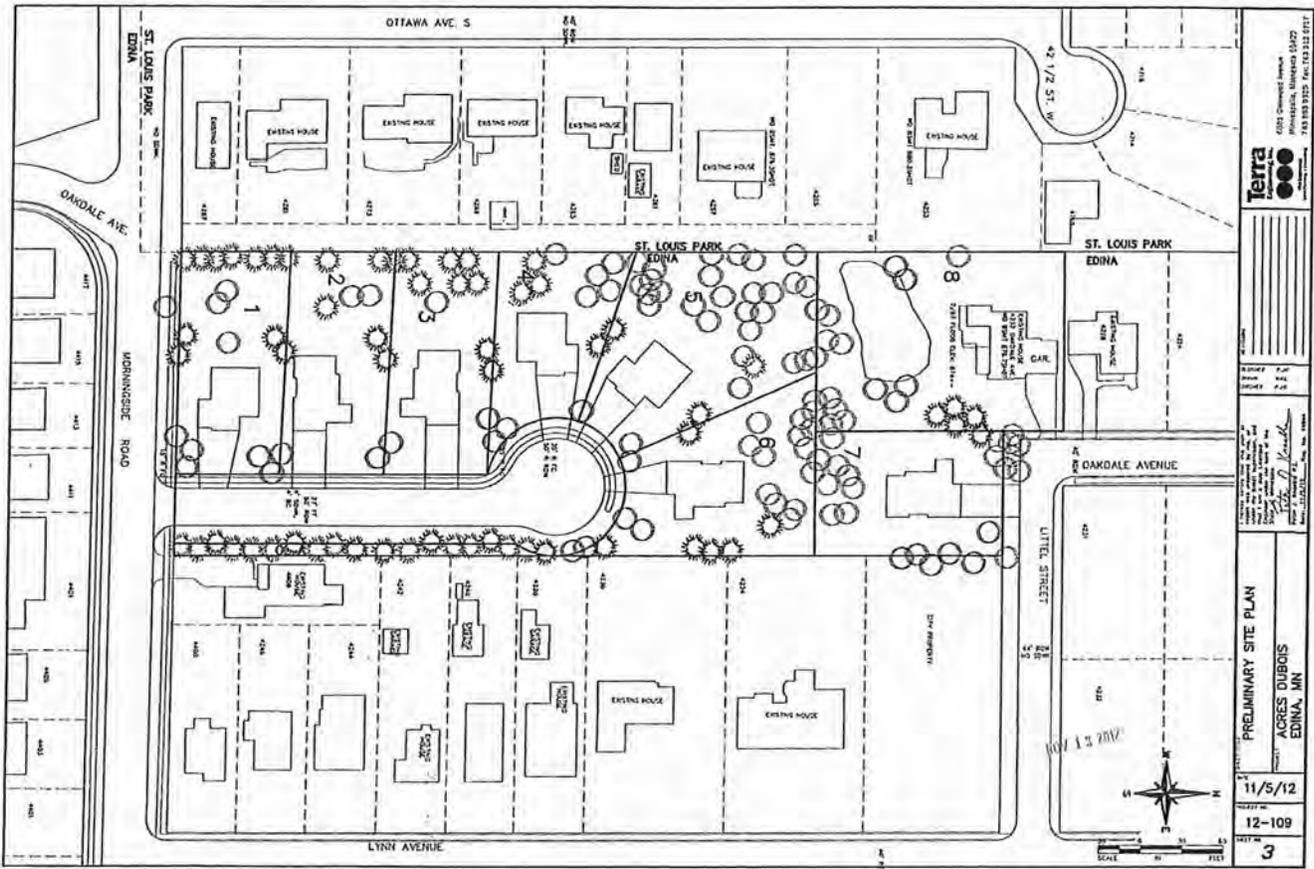
Traffic Review
Acres Dubois
City of Edina, Minnesota

A50

Project Location Map

Figure 1





Terra
 6225 Champlin Avenue
 Minneapolis, Minnesota 55427
 Tel: 763-833-8100 Fax: 763-833-8111

PRELIMINARY SITE PLAN
 ACRES DUBOIS
 EDINA, MN

DATE: 11/5/12
 SHEET NO: 12-109
 OF 3

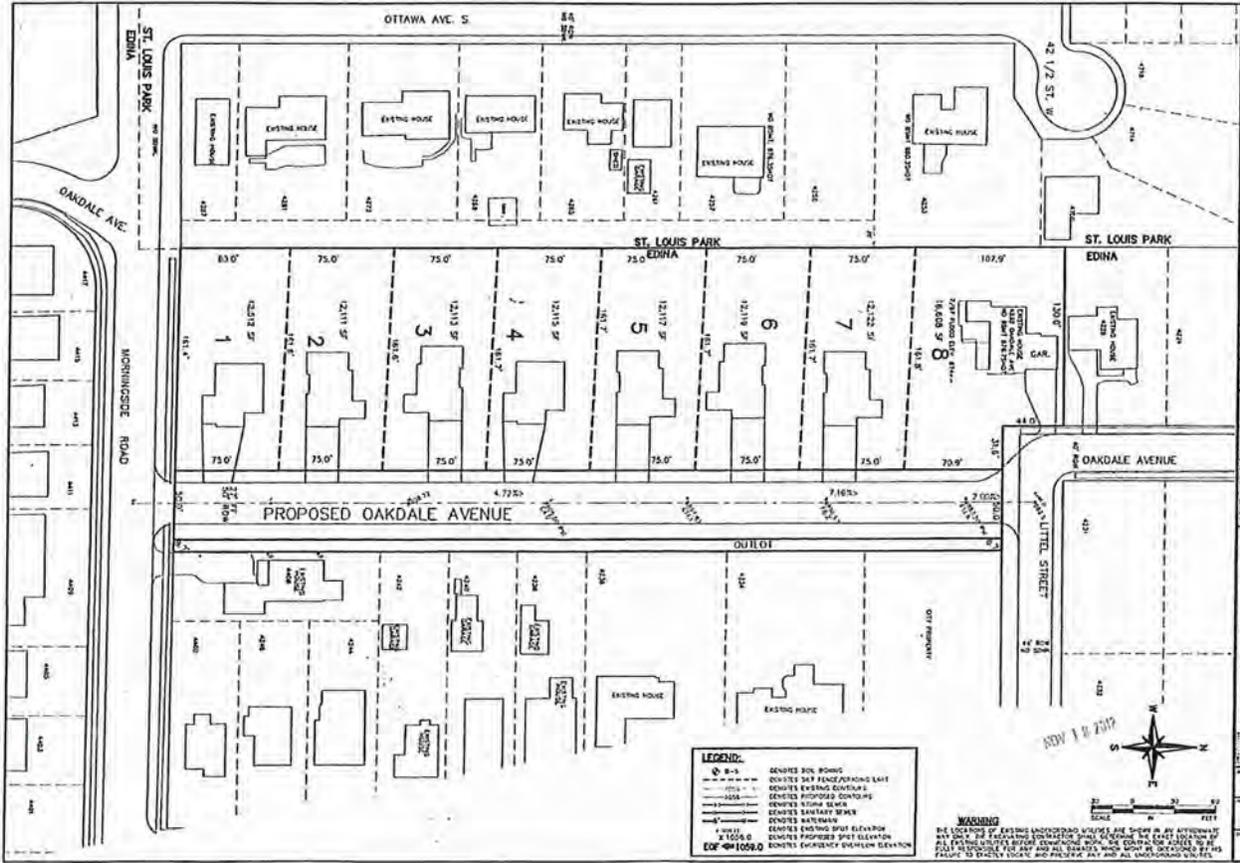


Traffic Review
 Acres Dubois
 City of Edina, Minnesota

Figure 2

Development Site Plan

ASL



Terra
 4231 Commercial Avenue
 Independence, Minnesota 55122
 763.833.8327 Fax: 763.833.8113

CONFORMING CONCEPT PLAN
 ACRES DUBOIS
 EDINA, MN

11/5/12
 12-109
 9

AS2

Minutes/Edina City Council/February 5, 2013

IV.C. RESOLUTION NO. 2013-18 APPROVING LOT DIVISION, 5700 AND 5712 GROVE STREET – ADOPTED

Community Development Director Teague answered questions of the Council relating to the narrow strip of undeveloped land to the west that was platted right-of-way for a future north/south street. He indicated the property to the north was a buildable and vacant lot, and its front yard setback would have to match the setback at 5700 Grove Street. **Member Swenson introduced and moved adoption of Resolution No. 2013-18, approving a Lot Division of 5700 and 5712 Grove Street.** Member Sprague seconded the motion.

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

IV.D. BROWDALE AVENUE BRIDGE SCOUR REPAIRS, CONTRACT NO. ENG13-6NB – APPROVED

Engineer Houle answered questions of the Council relating to the Browndale Avenue bridge scour repairs that were expected to commence upon approval. Mr. Teague described staff's efforts to recoup costs and indicated the project had been redesigned to install oversized riprap with a boulder appearance that could withstand higher springtime flows. **Member Brindle made a motion, seconded by Member Swenson, approving the Browndale Avenue bridge scour repairs, Contract No. ENG13-6NB.**

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

V. SPECIAL RECOGNITIONS AND PRESENTATIONS

V.A. PRESENTATION BY HUMAN RIGHTS AND RELATIONS COMMISSION

Meg Newell, Human Rights and Relations Commissioner, invited all to attend the April 22, 2013, Edina Reads spring event during which the novel *A Thinking Man's Bully* and the negative force of bullying would be addressed.

VI. PUBLIC HEARINGS HELD – Affidavits of Notice presented and ordered placed on file.

VI.A. VARIANCE APPEAL, 5801 CRESCENT TERRACE – CONTINUED TO FEBRUARY 19, 2013

It was noted the applicant and appellant had requested to continue consideration of the variance appeal to February 19, 2013. **Member Bennett made a motion, seconded by Member Sprague, to continue consideration of Variance Appeal, 5801 Crescent Terrace, to February 19, 2013.**

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

VII. COMMUNITY COMMENT

No one appeared to comment.

VIII. REPORTS / RECOMMENDATIONS

VIII.A. SKETCH PLAN REVIEWED, 4412 MORNINGSIDE ROAD AND 4232 OAKDALE AVENUE

Community Development Director Presentation

Community Development Director Teague presented the request of the Sidell family for sketch plan review. It was noted the applicant had originally submitted a subdivision application to divide this property into eight lots with a cul-de-sac off Morningside Road to provide access to six of the new lots. That request required three variances. The Planning Commission, at its December 12, 2012, meeting recommended the applicant consider an alternative way to develop the property. As a result, the applicant prepared three alternatives that were presented to the Planning Commission on January 23, 2013, and would be presented again tonight. Mr. Teague indicated the Council was being asked to review and offer comments on the sketch plan.

Proponent Presentation

Frank Sidell, 4232 Oakdale Avenue, introduced Sidell family members and stated the Sidell family had lived in the Morningside area for 50 years, prior to it becoming part of Edina, and would like to create a legacy for his father, Franklin DuBois Sidell, who liked larger lots with room for children to play, offering privacy

and serenity. However, his mother's goal was to maximize the value and pass it on to her children through her estate. He described the character of Morningside, finding it to be very eclectic with no two houses the same. Mr. Sidell stated that he had performed a walking inventory of Morningside, and that by his count the neighborhood contained 633 homes, that 65 had been rebuilt or heavily remodeled in the past years, that more than one-third had garages in the front and that more than one-third were on lots larger than 50 feet in width. Mr. Sidell described the features and advantages of an eight-lot conforming concept requiring no variances and a modified original concept with a slight modification for a 44-foot road right-of-way and 24-foot paved surface with a center of permeable pavers to increase infiltration. This allowed pulling the road away from the newly constructed home at 4408 Morningside Road and relocating its driveway to the cul-de-sac to increase safety. Mr. Sidell acknowledged that the conforming concept was met by resident opposition to the through street. He identified the benefits of the modified original concept as no 50 foot lots, lower housing density, need for only three minor variances, less impact on trees, and a cul-de-sac that would maintain the peace and serenity of the existing property

Mr. Sidell presented the elements in Sketch Plan A and in Sketch Plan B, each requiring 26 variances. He stated it had been proposed to construct a sidewalk from the cul-de-sac to the City-owned lot on the corner but the family was not in favor because it was not a programmed park, the hill was too steep for a safe walkway without 65 steps and a railing; and, there was already a sidewalk 200 feet to the east on Lynn Avenue. He noted the cul-de-sac had been proposed to save mature trees and not disturb a steep sloped area on the site.

Peter Knaeble, Civil Engineer with Terra Engineering representing the proponent, advised that the variances for sketch plans A and B related only to lot size, and that other variances might be sought for construction of homes on those lots.

The Council discussed the elements proposed in each of the three concepts and unanimously preferred the modified original concept because it would lower density with 75-foot lots that created pleasant space between houses that residents prefer, preserve the grand tree canopy, maintain the charm, beauty, and serenity of the original 50-acre park-like estate. Support was expressed for the conservation easement, thoughtful rain garden feature, pervious paver roadway enhancement, and 18-foot westerly shift in the roadway.

Members Sprague, Brindle, and Mayor Hovland supported orientation of homes toward the cul-de-sac to create a holistic experience for neighbors and a greater sense of community. In addition, orienting the homes toward the cul-de-sac would lessen pressure on the intersections of Oakdale and Morningside by concentrating traffic starts within the cul-de-sac, and result in most of the traffic coming/going toward the new roadway instead of shining headlights towards homes along the south side of Morningside.

Members Bennett and Swenson supported turning the two southernmost lots to face Morningside Road to encourage a sense of community, beyond a micro neighborhood, and engage new residents on the north side with existing residents on south side of Morningside Road. It was noted that the house to the east of the proposed cul-de-sac faces Morningside Road and while that garage could be relocated to the cul-de-sac, the front of the house and porch would face Morningside Road. Member Bennett added that homes facing Morningside Road would provide a more welcoming, safer environment for pedestrians and could have a calming effect on traffic on Morningside Road

The Council thanked Mr. Sidell for his thoughtful consideration of the neighborhood.

VIII.B. RESOLUTION NO. 2013-17 – CALLING FOR A PUBLIC HEARING ON A PROJECT BY CALVIN CHRISTIAN SCHOOL OF MINNEAPOLIS – ADOPTED

Jan. 23, 2013
P.C. Minutes

VII. REPORTS AND RECOMMENDATIONS

- a. **Sketch Plan Review – Sidell. 4412 Morningside Road and 4532 Oakdale Avenue, Edina, MN**

Planner Presentation

Planner Teague told the Commission based on the direction of the Planning Commission at its December 12, 2012 meeting, the applicant, Peter Knaeble, on behalf of Frank Sidell, has created three (3) subdivision alternatives for the property located in between Littel Street and Morningside Road.

Teague explained that one option is a “revised” original plan. The other two are variations. Teague reminded the Commission there is also a “conforming” plan that depicts a through street; however, the applicants have indicated they do not believe that option is best for the site and neighborhood.

Chair Grabiell explained the Sidells have elected to present a Sketch Plan Review with differing options. The Sketch Plan Review allows the applicant to obtain feedback from the Commission before they proceed with a formal application.

Applicant Presentation

Frank Sidell addressed the Commission and introduced his siblings Tina and Phil. Sidell explained that their intent with this proposal is to honor their father, Franklin DuBois Sidell and create a legacy. Sidell explained his father purchased this property 50 years ago, adding his father liked larger lots with trees and grass especially for growing families. Sidell asked the Commission to remember that although many talk about the “character” of Morningside it should be remembered that Morningside is Edina.

Continuing, Sidell said their intent is to redevelop this property themselves to ensure that its uniqueness is preserved. With the aid of graphics Sidell explained that the character of Morningside is very eclectic, adding this proposal is about community, not house style or lot size. Sidell noted the following about the Morningside neighborhood:

- Morningside is the oldest section of Edina with 633 houses.
- Over 65 homes have been rebuilt or heavily remodeled (>10%) in the last few years.
- More than 35% of the homes have garages in the front.
- 1/3 of this community does not have sidewalks.
- More than 35% of the lots are larger than 50-feet
- The current property is unique – a 7,000 square foot house on a 3 acre lot – which part do we copy?

Sidell referred the Commission to four redevelopment concepts as follows:

Conforming Concept:

- 8 lots
- Through street connecting Little with Morningside Road
- No Variances

Sidell said in his opinion this concept would change the character of the area and remove too many existing trees and vegetation.

Modified Original Concept:

- Street was narrowed to a 40-foot right of way (ROW) with 24-feet of pavement.
- Increased out lot on east side to 18-feet
- Added a pervious center to cul-de-sac
- Agreed to move the driveway for 4408 to the new road.

Sidell said this is the concept they prefer. He also noted that in speaking with members of the Commission that he really likes the idea of "Living Streets". He also pointed out this "concept" has no 50-foot lots and only requires three minor variances. Continuing, Sidell said this proposal has the greatest tree savings, less traffic and maintains the serenity of the original property. Concluding, Sidell said he believes larger lots allow greater flexibility in house placement.

Sketch Plan "A":

- Creates 6 smaller lots similar to the 50-foot side lots in the surrounding area
- 40-foot ROW, and 24-foot paved surface road
- Road moved lone lot over from 4408.
- Lots 1, 2, and 3 load off Morningside Road
- Tree loss of at minimum 14
- 26 variances required.
- Pervious center added to the cul-de-sac bulb.

Sidells said in his opinion 50-foot wide lots do not provide enough flexibility for house placement. He added if this concept is favored that the family would need a legal statement from the City guaranteeing that the variances will be available when the houses are built.

Sketch Plan "B":

- Creates 6 small lots similar to the 50-foot wide lots in the surrounding area
- 40-foot ROW and 24-foot paved surface road.
- Road is not next to 4408 with a 15-foot out lot.
- Lots 1, 2, and 3, continue to load off of Morningside Road
- Pervious center added to the cul-de-sac bulb.

Sidell stated that the property owners at 4408 do not favor this concept they prefer a road, not house adjacent to them. Sidell pointed out that both concepts "A" and "B" create smaller lots noting that some Edina residents have expressed opposition to redevelopment on 50-foot wide lots and that redevelopment of 50-foot lots is a "hot-topic" in Edina. Sidell stated his family doesn't want to be held to different building regulations than the rest of the community. Continuing, Sidell said he is very favorable to the smaller paved surface road of 24-feet, adding he also supports the 18-foot paved surface that was also suggested. Sidell reiterated he likes the concept of "living streets"; however, he isn't sure how the Edina Fire Department feels about it. He added in all the scenarios their goal is to create permeable centers in the cul-de-sac to accommodate water and unless the Fire Department gets "on board" with a road narrower than 24-feet that road couldn't be developed. Concluding Sidell said they would build the road the City wants them to build and asked the Commission to provide them with feedback on their concept preferences.

Discussion

Chair Grabiell thanked Mr. Sidell for his presentation adding that the facts provided in the presentation were very helpful. Grabiell asked the Sidells which concept they prefer. Mr. Sidell responded the family favors the "modified original concept".

Chair Grabiell asked Mr. Sidell if the family would be agreeable to the Commission/Council imposing restrictions on some lots. Mr. Sidell responded as mentioned earlier that he doesn't believe his family should be held to different building standards than the rest of the City. Sidell said he has found that many young families don't have an issue with front loading garages. He added the buyers of these lots should not be restricted in house design adding their hope is all these homes are custom designed.

Commissioner Forrest questioned if the family was still considering the tree conservation easement. Mr. Sidell responded that the tree conservation easement is still in place for the modified original concept.

Commissioner Schroeder asked Mr. Sidell to clarify if the tree preservation easement was only for the modified original. Mr. Sidell responded that at this time that is where the conservation easement was noted; however, they would consider developing some form

of tree preservation easement for the others (A & B); especially B; however, the conservation easement area would change and would need further review. Schroeder asked Mr. Sidell what option his family prefers. Sidell responded they prefer the modified original and do not like the through street concept.

Commissioner Staunton commended the Sidells for all their work on this proposal acknowledging they could have turned the site over to a developer for redevelopment but instead are proceeding with this as a family. Staunton said in his opinion he prefers a variable lot size concept. He added the two smaller lot concepts better reflect the character found in Morningside. Staunton however stated that he is not sure how he feels about houses fronting Morningside Road, adding he knows it mirrors the "other side of the street", reiterating he's still not sure how he feels about it. Continuing, Staunton said he agrees the cul-de-sac concept is best adding the narrower paved surface and the treatment of the cul-de-sac bulb is interesting and good for the site. Concluding, Staunton said one issue that will be in the forefront during redevelopment is construction management.

Mr. Sidell said that his family has thought a lot about the construction phase and its management. Sidell said one option they considered would be to use one of the lots as a staging area.

Commissioner Platteter thanked the Sidells for their work on this project adding their property is a huge part of the Morningside neighborhood. Platteter said he is not sure he likes the additional lots on the alternative sketch plans; however, he supports houses facing Morningside Road; reiterating he is unsure additional lots are the way to go. Concluding, Platteter suggested taking two lots out and rotating two at the front onto Morningside Road. He also reiterated the importance of tree preservation.

Commissioner Potts said Sidell was correct in saying this area of Edina is eclectic. Potts also agreed that he would be sorry to see the property developed with the through street concept. Concluding Potts said he does favor the smaller lot concepts.

Commissioner Schroeder said with regard to sketch plan concepts A & B that in his opinion the lots fronting Morningside Road would appear disconnected from the rest of this development. Schroeder said that whatever is decided this development will become "its own thing", a unique and different "neighborhood", and part of the Morningside area of Edina. Continuing, Schroeder said in his opinion the "new" street should be developed as a dynamic living experience. He also suggested thinking of the cul-de-sac in a different way; possibility shifting it slightly and playing with the geometry of the street thereby creating a "living" fluid street. Schroeder said he's not concerned with lot size; however, wants this street and these houses to become a unique dynamic part of Edina. Concluding, Schroeder said he wants to see a great street developed.

Commissioner Forrest said she was opposed to the through street adding she is also hesitant on supporting the concept of fronting homes on Morningside Road. She said these houses would be isolated from the rest of the development. Continuing, Forrest agreed with Schroeder's suggestion of "playing" with the street. Concluding, Forrest said she would like the Sidells to keep their high redevelopment standards and work closely with developer(s), concluding her preference is the modified original concept.

Chair Grabiell stated he also supports the modified original concept, adding he agrees with Commissioner Schroeder that this development will be its own micro-neighborhood.

Commissioner Platteter said he doesn't want this neighborhood to become exclusive adding he continues to believe homes should be fronted on Morningside Road as laid out in Sketch Plan option A & B.

Commissioner Forrest acknowledged that the cul-de-sac in itself can give the appearance of "shutting" out others; however, if care is taken with the corner house by creating a welcoming presence any perceived isolation could be overcome.

Commissioner Fischer said he supports Sketch Plan concept "A". Fischer said in his opinion it's not about the number of lots it's about the street itself. Fischer said whichever concept is ultimately chosen what he wants to see is the creation of a special place and special street. Concluding Fischer suggested that the applicant speak more with the Fire Department to see if they would "come on board" supporting a less wide street (18-feet).

Planner Teague informed the Commission that while the Fire Department has expressed reservation about a road narrower than the suggested 24-foot paved surface, they would be willing to reconsider the paved surface width, if the drive aisle width were 18-feet and there was an attached level drive-over sidewalk of 6-feet. Emergency vehicle access is paramount.

Chair Grabiell thanked the Sidells for their presentation, adding what he takes from this exchange is that whichever concept is chosen that care needs to be taken with tree preservation and that creativity needs to be taken with the cul-de-sac.

VIII. CORRESPONDENCE AND PETITIONS

Chair Grabiell acknowledged the back of packet materials.

IX. CHAIR AND COMMISSION COMMENTS

Chair Grabiell stated that Commissioner Fischer would be ending his term as Planning Commissioner and thanked him for his 9 + years of service. Commissioner Staunton

echoed Grabiél's thanks and expressed his appreciation to Mike Fischer. All Commissioners agreed thanking Commissioner Fischer for his service.

X. STAFF COMMENTS

Planner Teague thanked Commissioner Fischer for his service to the City as a Planning Commissioner. Teague reported that being the "new" City Planner Fischer was very helpful in making him feel welcome and sharing his vision for Edina.

XI. ADJOURNMENT

Commissioner Fischer moved adjournment at. Commissioner Staunton seconded the motion. All voted aye; motion carried.

Jackie Hoogenakker

Respectfully submitted

Engineering Department • Phone 952-826-0371
Fax 952-826-0392 • www.CityofEdina.com



Date: March 22, 2013
To: Cary Teague – Community Development Director
From: Wayne Houle – Director of Engineering
Re: Preliminary Plat for Acres Dubois
Dated November 5, 2012
With Revisions Dated 3/1/2013

Engineering has reviewed the above stated proposed plat and offer the following comments:

- ⊙ A Minnehaha Creek Watershed permit will be required, along with other agency permits such as MNDH, MPCA, MCES, and a grading permit from the City of Edina Building Department.
- ⊙ SAC fees will be required for this project; REC fees will not be required due to the developer installing the water main and sanitary sewer system.
- ⊙ A developer's agreement will be required for constructing the public utilities, roadway, sidewalk and street lights. The developer will be responsible for funding the cost of construction administration as performed by City Staff. Construction administration includes construction staking, inspection, material inspection, pay requests to the contractor, and record drawings. The developer's agreement will also include a three year minimum maintenance period for maintaining the proposed rain garden and also include the temporary use of the westerly edge of the City of Edina property located at Lynn Avenue and Littel Street.

Sheet 4 – Preliminary Utility Plan:

- Provide additional easement for access to maintain proposed rain garden / infiltration basin located at Lot 8.
- Provide storm water calculations for the project. Per the City of Edina's Comprehensive Surface Water Management Plan, verify that the proposed rain garden located at proposed Lot 8 can provide a two foot clearance to surrounding structures by providing storage for a concurrent 100-year single rainfall event or a 100-year 10-day snowmelt, whichever is greater.

Sheet 5 Preliminary Grading Plan:

- Use of City property adjacent to proposed Lot 7 will require compensation to the City, along with a restoration plan approved by the City Council. Compensation will be calculated as a temporary construction easement. Staff does not support the placement of a retaining wall at this location due to long term maintenance adjacent to proposed sanitary sewer and water main.

Staff will require a more detail review of the Civil Plans if this project is approved by the City Council. Please contact me if you have any questions regarding this review.

AG1

Cary Teague

From: Jeff Siems
Sent: Wednesday, March 20, 2013 4:07 PM
To: Cary Teague
Cc: Marty Scheerer
Subject: RE: CD Meeting

Hello Cary,

As per our original discussions in order for a reduced road width concession, and emergency access considerations the fire department would require:

- Signage stating "No Parking Fire Lane" along one side of the roadway the entire length of the road.
- Residential fire sprinkler protection in accordance to NFPA 13 d.
- Installation of fire hydrant(s) (near end of cul-de-sac, & possibly at intersection of Morningside).
- I did not see any issues with angles of approach/departure for fire department vehicles.
- Addressing and Premise ID to conform to code.

Jeff

-----Original Appointment-----

From: Cary Teague
Sent: Wednesday, March 20, 2013 12:54 PM
To: Wayne Houle; Brian Olson; Jeff Siems; Steve Kirchman; Steve Kiehn; Ross Bintner; Kris Aaker; Shelagh Stoerzinger
Subject: CD Meeting
When: Monday, March 25, 2013 2:00 PM-3:00 PM (UTC-06:00) Central Time (US & Canada).
Where: ED Minnehaha Room (by Building)

To discuss Acres Dubois << File: P-4 3-1-13 PRELIM UTIL PLAN..pdf >> << File: P-4 3-1-13 PRELIM UTIL PLAN..pdf >> << File: P-5 3-1-13 PRELIM GRADING PLAN.PDF >> << File: P-3A 3-1-13 PRELIM SITE RENDERING.PDF >>

Cary Teague

From: Nancy and Peter Killilea <pkandnb@comcast.net>
Sent: Tuesday, January 15, 2013 8:22 PM
To: Cary Teague
Subject: Morningside Subdivision

Cary,
My name is Nancy Killilea. My family lives at 4236 Lynn Avenue. We are directly effected by the proposed subdivision on the Sidell property as our property backs up to the land. My husband, Pete, attended the Planning Commission meeting on December 12 and provided feedback during the meeting.

Thank you for sending out the alternatives that are currently being considered. We are grateful that the city is interested in considering alternatives that will fit the unique needs of our neighborhood. My family wanted to provide additional feedback to consider as this proposal moves forward:

1. We highly support the development of homes directly facing Morningside Road. This clearly enhances the sense of community on that street.
2. We support and would encourage sidewalks along the entirety of the cul-de-sac. The cul-de-sac concept is not one that is consistent with our neighborhood or consistent with the more urban nature of Morningside. A full sidewalk would be a minor effort to overcome the impact of a cul-de-sac.
3. We support greater open space between homes to honor the heritage of this unique plot of land. Many of us bought these homes because of the benefit of the trees and open spaces adjacent to them. It is possible to maximize this financial opportunity while also protecting the benefits that brought us to this neighborhood. This should be considered through two different opportunities:
 - o Number of lots. We appreciate the involvement of the Planning Commission to revise the proposed design to address the concerns of the community. At the Dec 12 meeting there was discussion among the Commissioners about a design with smaller lots but an increased number of lots in order to encourage homes that are consistent with the neighborhood. We appreciate the intention but it seems like a backwards approach to achieve this objective. This should be met by appropriate zoning requirements for the height and size of new homes as well as appropriate set backs. Given the number of issues Morningside has experienced due to the inadequacy of the current requirements, this subdivision should not be allowed to proceed without new requirements being developed and applied.
 - o Greater set backs for sides and backs of homes. The drawings are best case but we have seen homes developed that interrupt the sight-lines and open space of their neighbors. New set backs should be a requirement.
4. The current alternatives miss one of the most unique opportunities offered by this lot and this neighborhood: a connection to the open lot at Lynn and Littel. Many neighborhood children utilize this open space and it brings our community together. Like similar areas in other parts of Edina (near Creek Valley Lane) as well as St. Louis Park (intersection of Wooddale and Princeton), we have the opportunity to create a path or walkway from the cul-de-sac to the open lot. Kids sled on the hill, play sports in the open lot. The many families with children that make up our neighborhood will sorely miss this. Cul-de-sacs are not consistent with our neighborhood. This dead-end concept can be overcome by allowing walkers, joggers, dog walkers, children and adults to connect to the streets and lots below. Please consider this small change that will have minimal impact on lot size or financials. It is worth so much more than its cost.

We have lived in Morningside for 12 years. We recently moved into our second home in this community, a home on Lynn, and invested in the remodeling of a home that has been here for many generations. We stayed in this area because we value the diversity of people, the urban feel of the neighborhood and the tightly knit neighborhood. I am hoping that we are able to maintain these qualities despite the changes that are being planned. Please give consideration to the characteristics of this unique neighborhood as you determine the future of our backyard!

January 15, 2013

Dear Mr. Teague and Members of the Planning Commission:

My name is Peggy Lawrence. I live at 4411 Morningside Road—directly across the street from the proposed Acres DuBois subdivision. I attended the recent Planning Commission meeting at which this proposal was discussed and walked away with a hopeful feeling that our concerns had been heard, that brainstorming would be done with the Sidell family and that other options for the site would be forthcoming. Upon examining the new plans, I'm feeling disillusioned and here's why:

- Our main objection was the cul-de-sac; I think the Commission missed that point. The residents of Morningside like the urban feel to the community with its connected streets and sidewalks. As long as the property is being subdivided, it would be important to connect Morningside to Littel and lower Oakdale, and a through street would accomplish this. Cul-de-sacs are suburban not urban, and there are none in Morningside at present. I believe there is a conforming plan for the site that would require no variances.
- The number of houses has increased from 8 to 10, with 2 or 3 facing my house on Morningside. This is very dense housing. The size of these houses would have to be carefully controlled, and we all know that this isn't happening in Morningside. Most of the new houses currently being built are 35' high and stretch to the lot lines on each side. The granting of variances seems to be the rule rather than the exception with the result being huge houses on small lots. Also concerning would be front garages, etc., so I'm trying to wrap my head around what I'll see when I look outside my front windows, and how it will change the feel of my property.
- Adding a subdivision to an already established neighborhood is no small task! The thought of all that construction is quite disarming. I see several years of portable "biffies," construction trucks, building materials lying on the ground, blocked streets, noise and the fear that a gas or water line will be accidentally cut into. Construction is difficult, and Morningside has certainly had its share.
- I'm worried that the Planning Commission and the City Council will see the building of 10 new houses as an added source of revenue for the city and ignore the best interests of Morningside.

In concluding, I would urge the Planning Commission and the City Council to choose the conforming plan which would need no variances. This would offer a connecting grid street with sidewalks; it may also be the choice of least resistance from the community thereby sparing the hard feelings that may damage the otherwise supportive and delightful community of Morningside. Remember there is an emotional element to all of this.

Thank you for giving me the opportunity to state my feelings. I have lived across the street from the Sidells for 34 years and highly value them as friends and neighbors. Hopefully, a solution acceptable to all will be found.

Sincerely,

Peggy Lawrence

October, 2012

Mr. Cary Teague
Planning Director
City of Edina
4801 W. 50th Street
Edina, MN 55424

Subject: Acres DuBois

Dear Mr. Teague,

We are writing today to express concern regarding the proposed development, Acres DuBois, at 4412 Morningside Road. It is understood the owners of this property intend to seek a permit to develop lots for seven new homes on the site. Three of the proposed lots do not meet minimum size requirements of City of Edina and would need variance from the City Planning Commission. Six of these constructed homes would be accessed via a cul-de-sac road on the east side of the property.

As an impacted neighbor living within 500 feet of the project we are opposed to a cul-de-sac with lots that do not meet the minimum size requirements. The Morningside neighborhood is an urban development of connected streets with sidewalks. This proposal is inconsistent with the neighborhood.

Connecting streets with sidewalks benefit all community members. There is an enhanced sense of community through better connections to neighbors and businesses. Sidewalks encourage exercise and provide the benefits of a healthy lifestyle.

There are safety benefits to connecting streets with sidewalks. Sidewalks separate pedestrians from motorists. Connecting streets offer easy and timely access for emergency vehicles. Crime is deterred when there is pedestrian traffic.

Additionally, connecting streets with sidewalks offer community members economic benefits. Home buyers are willing to pay more for homes in a walkable neighborhood. Property values rise fastest in pedestrian friendly areas.

We respectfully oppose the proposal for site development that includes a cul-de-sac road with lots that do not meet the minimum size requirements. This is a profoundly unique and valuable property. Please consider other options for this site, including a connecting street on the west side of the property with conforming lots.

Sincerely,

Morningside Neighbors
(signature page enclosed)

Enclosures (1)

cc: Frank Sidell

Peter Knaeble, Terra Engineering Inc.

Received
12-12-2012

October, 2012

Mr. Cary Teague
Planning Director

Subject: Acres DuBois

SIGNATURE PAGE

Ann G Wild 4413 Morningside Road
Peggy Lawrence 4411 Morningside Road
Judy Platt 4350 Morningside Rd
Susan Hardy 4408 Morningside Rd
Frank Sidell 4248 Crocker Cir
Peggy Joyce Parlin 4405 Morningside Rd
Dan Currier 4246 Lynd Ave So
Tari Cassler Gray 4315 Morningside Rd.
Janet Hight 4461 Morningside Rd. Edina
Doreen H. Currier 4408 MORNINGSIDE
Ruth Valzema 4315 Oakdale Ave S.

Enclosures (1)

cc: Frank Sidell

Peter Knaeble, Terra Engineering Inc.

Frank

-----Original Message-----

From: Nancy and Peter Killilea <pkandnb@comcast.net>
To: acresdubois <acresdubois@aol.com>
Sent: Wed, Jan 16, 2013 6:02 pm
Subject: FW: Morningside Subdivision

Frank,

I wanted to forward to you a note that Pete and I sent to Cary regarding the subdivision proposal. We continue to be concerned more about the current city codes that will apply to your project than most of the specifics of your project. In most scenarios, we are the only home with a new home adjacent to our lot (on the Edina side; the SLP side has topography helping them). The other homes benefit from the light and space that comes with the cul-de-sac. But in all of the scenarios we are impacted directly by a home. With current city codes, that means we are going to have a 3 story wall to look at rather than your beautiful trees. Having just tried to responsibly remodel and invest in the neighborhood it is disappointing to us to lose what brought us here. I know we will likely lose that battle (it would have been nice have the cul-de-sac continue directly behind our home) but we will do our best to work with the city to improve the codes to give us some peace of mind.

I appreciate your involvement and continue to be amazed that you are willing to engage with everyone given how emotional this topic appears to be to many.

Thank you!
Nancy

From: Cary Teague <cteague@EdinaMN.gov>
Date: Wed, 16 Jan 2013 14:37:54 +0000
To: Peter Killilea <pkandnb@comcast.net>
Subject: RE: Morningside Subdivision

Thank you Nancy,

I will include your email in the Planning Commission packet of information that will go out this Friday.

Cary



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

From: Nancy and Peter Killilea [<mailto:pkandnb@comcast.net>]
Sent: Tuesday, January 15, 2013 8:22 PM
To: Cary Teague
Subject: Morningside Subdivision

Cary,
My name is Nancy Killilea. My family lives at 4236 Lynn Avenue. We are directly effected by the proposed subdivision on the Sidell property as our property backs up to the land. My husband, Pete, attended the Planning Commission meeting on December 12 and provided feedback during the meeting.

Thank you for sending out the alternatives that are currently being considered. We are grateful that the city is interested in considering alternatives that will fit the unique needs of our neighborhood. My family wanted to provide additional feedback to consider as this proposal moves forward:

1. We highly support the development of homes directly facing Morningside Road. This clearly enhances the sense of community on that street.
2. We support and would encourage sidewalks along the entirety of the cul-de-sac. The cul-de-sac concept is not one that is consistent with our neighborhood or consistent with the more urban nature of Morningside. A full sidewalk would be a minor effort to overcome the impact of a cul-de-sac.
3. We support greater open space between homes to honor the heritage of this unique plot of land. Many of us bought these homes because of the benefit of the trees and open spaces adjacent to them. It is possible to maximize this financial opportunity while also protecting the benefits that brought us to this neighborhood. This should be considered through two different opportunities:
 - o Number of lots. We appreciate the involvement of the Planning Commission to revise the proposed design to address the concerns of the community. At the Dec 12 meeting there was discussion among the Commissioners about a design with smaller lots but an increased number of lots in order to encourage homes that are consistent with the neighborhood. We appreciate the intention but it seems like a backwards approach to achieve this objective. This should be met by appropriate zoning requirements for the height and size of new homes as well as appropriate set backs. Given the number of issues Morningside has experienced due to the inadequacy of the current requirements, this subdivision should not be allowed to proceed without new requirements being developed and applied.
 - o Greater set backs for sides and backs of homes. The drawings are best case but we have seen homes developed that interrupt the sight-lines and open space of their neighbors. New set backs should be a requirement.
4. The current alternatives miss one of the most unique opportunities offered by this lot and this neighborhood: a connection to the open lot at Lynn and Littel. Many neighborhood children utilize this open space and it brings our community together. Like similar areas in other parts of Edina (near Creek Valley Lane) as well as St. Louis Park (intersection of Wooddale and Princeton), we have the opportunity to create a path or walkway from the cul-de-sac to the open lot. Kids sled on the hill, play sports in the open lot. The many families with children that make up our neighborhood will sorely miss this. Cul-de-sacs are not consistent with our neighborhood. This dead-end concept can be overcome by allowing walkers, joggers, dog walkers, children and adults to connect to the streets and lots below. Please consider this small change that will have minimal impact on lot size or financials. It is worth so much more than its cost.

We have lived in Morningside for 12 years. We recently moved into our second home in this community, a home on Lynn, and invested in the remodeling of a home that has been here for many generations. We stayed in this area because we value the diversity of people, the urban feel of the neighborhood and the tightly knit neighborhood. I am hoping that we are able to maintain these qualities despite the changes that are being planned. Please give consideration to the characteristics of this unique neighborhood as you determine the future of our backyard!

Thank you,
Nancy Killilea

October 26, 2012

Cary Teague
Community Development Director
City of Edina
4801 West 50th Street
Edina, MN 55424

Re: Acres DuBois Development

Dear Mr. Teague

We are writing today to express our viewpoint concerning the development being planned for the Sidell property in Morningside. It is our understanding that two potential plans are being considered. One includes a cul-de-sac with six new lots originating from Morningside Road and a seventh stand-alone parcel accessed off Littel St. The other proposed plan would add a through street connecting lower Oakdale Ave. with Morningside Road and have seven new lots adjoining the west side of this new street.

We would like to go on record as being deeply opposed to the through street option and in favor of the cul-de-sac option for the following reasons:

1. Traffic –
 - a. A historical traffic flow through the neighborhood already exists and we feel adding a through street within 200 feet of Lynn Ave is unnecessary.
 - b. The connecting through street will run along the backyard boundaries of the houses on the west side of Lynn Ave creating additional unwanted noise and increased traffic activity.
 - c. The number of vehicles using the six house cul-de-sac will minimize the traffic impact on the surrounding neighbors and the community as a whole.
 - d. A through street will dramatically increase the number of vehicles using lower Oakdale and completely change the feel of our neighborhood.
2. Safety –
 - a. Vehicles using the cul-de-sac will be fewer and slower moving than those using the through street.
 - b. The hill that would exist on the through street creates added safety concerns due to limited visibility, excessive vehicular speeds and winter ice and snow issues. The existing, steep condition on Lynn Avenue makes it very unsafe...especially during the winter months. This hazardous condition should not be replicated!
 - c. There are many young children on lower Oakdale that play in their front yards near the street. The increased vehicle traffic of a through street increases the risk of an accident.
3. Trees and Vegetation –

- a. The cul-de-sac option would allow many of the mature trees on this property to be saved.
 - b. The through street would create the need to remove almost all of the mature trees in order to build the new roadway and develop the property into suitable lots.
 - c. The cul-de-sac design provides significantly more total landscaping area (both new and saved existing) than the through street option.
4. Natural use of the land –
- a. The cul-de-sac option allows for better use of the natural contour of this property by creating two beautiful walk-out lots that utilize the natural slope of the hillside and save many of the trees.
 - b. The through street option requires the lots to be situated across the hillside creating the need for excessive grading, tons of additional fill and the installation of large retaining walls.
 - c. The connecting through street option adds approximately 7,000 square feet more asphalt pavement and 3,500 square feet more concrete pavement than the cul-de-sac option. These added hardscapes will necessitate additional roadway maintenance due to both the added paved surface area as well as the increased overall traffic usage on the through street.
 - d. The overall layout and steep slope of the connecting through street would also produce exponentially more storm water runoff which could adversely impact the existing storm sewer system and downstream bodies of water.
5. Neighborhood Serenity –
- a. The property as it exists today is a quiet oasis in the neighborhood. The cul-de-sac option offers the most viable solution to maintaining this sense for the immediate neighbors and Morningside community as a whole.
6. Sidewalks and walkability –
- a. We are aware that some of the neighbors on the south side of this property feel the through street is necessary to create a sidewalk connection from Morningside Road to the open space city lot on the corner of Lynn and Littel and to 42nd Street. An existing sidewalk located roughly 200 feet east of the proposed Acres DuBois development on Lynn Ave. already provides pedestrian sidewalk access to both of these areas.
 - b. Approximately one third of the Morningside neighborhood does not have sidewalks (42nd Street, Monterey, north Lynn, Kipling and north Grimes). Forcing a through street option to maintain the neighborhood feel of streets with sidewalks does not have precedence in Morningside.

For the reasons stated above, we must adamantly oppose the site development plan that includes the addition of the through street. The applicant has provided a development option that is much less intrusive to the existing property, the environment, future safety concerns, and the current “feel” of the neighborhood. We trust that the City staff, the Planning Commission, and the City Council would appreciate this much more thoughtful approach to the redevelopment of this unique property.

We respectfully ask the City of Edina to work with the applicant toward the development option that utilizes the preferred cul-de-sac option.

Sincerely,

Morningside Neighbors
(Signature pages attached)

cc Frank Sidell
Peter Knaeble, Terra Engineering Inc.

Signature

Address

- | | |
|-------------------------------------|-------------------------------|
| 1. <i>[Signature]</i> | 4223 OAKDALE AVE (Knutson) |
| 2. <i>[Signature]</i> | 4223 Oakdale Ave. (Knutson) |
| 3. Douglas P. Juber 11/11/2012 | 4214 Oakdale Ave S (Junker) |
| 4. Joanne Bergstadt | 4216 Oakdale Ave S. Bergstadt |
| 5. <i>[Signature]</i> | 4231 Oakdale Ave. (Schwert) |
| 6. <i>[Signature]</i> | |
| 7. Amy Youel | 4228 Oakdale Ave S. (Youel) |
| 8. Ted Youel | 4228 Oakdale Ave S. (Youel) |
| 9. <i>[Signature]</i> | 4224 Oakdale Ave. (Stevens) |
| 10. <i>[Signature]</i> | 4224 Oakdale Ave (Stevens) |
| 11. <i>[Signature]</i> | 4220 Oakdale Ave (Goan) |
| 12. <i>[Signature]</i> | 4277 Oakdale Ave S. |
| 13. <i>[Signature]</i> | " " Mallidrem |
| 14. <i>[Signature]</i> | |
| 15. <i>[Signature]</i> | 4215 OAKDALE AVE S. |
| 16. <i>[Signature]</i> | 4215 Oakdale Ave S. |
| 17. <i>[Signature]</i> | 4212 Oakdale Ave S. |
| 18. <i>[Signature]</i> | 4212 OAKDALE AVE S. |
| 19. <i>[Signature]</i> | 4208 Oakdale Ave S. |
| 20. Jeff Ballard <i>[Signature]</i> | 4204 Oakdale Ave S. Eline |
| 21. <i>[Signature]</i> | " " |
| 22. <i>[Signature]</i> | 4214 Oakdale Ave. S |
| 23. <i>[Signature]</i> | 4219 Oakdale Ave S |
| 24. Mindy Greeley | 4232 Lynn Ave Edina |
| 25. <i>[Signature]</i> | |

Signature

Address

- | Signature | Address |
|----------------------------------|------------------------------------|
| 26. Sam Gambler | 4500 West 42nd Street, Edina |
| 27. Julian Gambler | 4500 West 42nd St Edina |
| 28. Kay M Johnson | 4211 Oakdale Ave Edina |
| 29. Stephen And | 4200 Oakdale Ave, Edina |
| 30. Paul G. H | 4215 LYNN AVE EDINA |
| 31. Mark Sorenson | 4213 LYNN AVE EDINA |
| 32. Megan Brunkman | 4243 Lynn Ave Edina |
| 33. Cynthia | 4217 Lynn Ave Edina |
| 34. Michelle | 4215 LYNN AVE EDINA |
| 35. Michelle | 4504 W. 42nd ST, EDINA |
| 36. Kristine Mollison | 4504 W 42nd |
| 37. Heather Backer | 4220 Lynn Ave. Edina |
| 38. Paul Baker | 4220 LYNN AVE EDINA |
| 39. Ali | 4213 Lynn Ave Edina |
| 40. Jani Lind | 4217 LYNN AVE, EDINA. |
| 41. William Clark | 4321 W. 42nd St. Edina |
| 42. AA SETH LEVENTHAL | 4406 W. 42d St. Edina |
| 43. DD Debra | " " " " |
| 44. Paul | 4407 W. 42 nd St Edina |
| 45. Kenneth L Warden | 4228 Lynn Ave. Edina |
| 46. Judith Hansen | 4228 Lynn Ave Edina |

James and Connie Wilde
4413 Morningside Road
Edina, MN 55416

December 3, 2012

City of Edina Mayor
City of Edina Council Members
City of Edina Planning Commission
4801 W. 50th Street
Edina, MN 55424

Subject: Acres DuBois

Dear Esteemed City Leader,

We are writing today to express our opposition to the proposed cul-de-sac subdivision, Acres DuBois. Morningside neighborhood has a rich history and is a unique and vibrant urban community. Morningside is not a neighborhood of suburban cul-de-sacs.

Our community is platted on a grid system between 40th Street / 44th Street / France Ave / Wooddale Ave. The first page of the preliminary plat for Acres DuBois shows a location map with circles around fourteen "cul-de-sacs" in the area, most of which are in St. Louis Park. It is misleading to point to these as precedent for the construction of a cul-de-sac in Morningside. On this map only two sites are even in Morningside, neither of which are cul-de-sacs but rather dead end streets. One site on the map is a dead end at 45th Street that gives the community street parking and sidewalk access to Kojetin Park. This is nothing like what is proposed in Acres DuBois.

Connecting streets with sidewalks benefit all community members. We, like many Morningside residents, bought our home here in part because of the sidewalks. Our family loves walking the streets of our community. The preliminary plat for Acres Dubois shows no sidewalk on Littel Street. It does include a partial sidewalk on the west side of the cul-de-sac but this ends in the middle of the circle. Ending the sidewalk creates one-way pedestrian traffic, benefiting only the residents of the cul-de-sac. We urge the Planning Commission to require continuous sidewalks along all roads in the project.

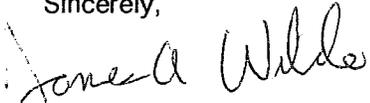
We understand that development is important and inevitable, but as proposed this project displaces a great deal of cost to residents on Morningside Road only to benefit the developer. We will see increased traffic, years of construction and wear and tear on our roads, the cost of which current residents will bear. Our property value and quality of life is being robbed.

This proposal seeks variance exception because three of the new lots do not meet minimum size requirements. The Conforming Concept Plan is reasonable and fits consistently in the grid pattern of the neighborhood. There is no "undue hardship" to the developer.

If the developer is unhappy with the Conforming Concept Plan we implore the city of Edina to work with the developer in creating a proposal that respects the character and culture of Morningside. Could part of this land be incorporated into an expanded park utilizing the city lot on

the corner of Littel and Lynn? Using 45th Street or Bridge Street in Country Club as a model, could there be a sidewalk connecting a continuous sidewalk on the proposed cul-de-sac to a new sidewalk on Littel, thus giving all residents greater access to the city lot? There is a tremendous opportunity to create a "legacy" that the developer purports to value while respecting and enhancing the quality of life for all Morningside residents. Please do not approve this plan as submitted.

Sincerely,


James A. Wilde



Connie and James Wilde

cc: Cary Teague, City of Edina

Jackie Hoogenakker

From: Angela Deen <angeladeen@gmail.com>
Sent: Wednesday, December 05, 2012 7:57 AM
To: Edina Mail
Cc: jonibennett12@comcast.net; Mary Brindle; joshsprague@edinarealty.com; swensonann1@gmail.com; Cary Teague; Edina Mail; Jackie Hoogenakker; David Deen
Subject: Letter of Concern - Morningside Development
Attachments: Letter of Concern - Morningside Development.pdf

Dear Mayor Hovland,

We are writing to express our concern over the rampant uncontrolled development of Morningside, which similarly plagues other areas of Edina. At the end of 2010, we bought a 1931 house on the corner of Eton Place and Morningside Rd because we were attracted to the neighborhood's charm and the friendly village that it is. However, in our first year here, we have witnessed firsthand 8 teardown/rebuilds on Morningside Rd and Scott Terrace alone. We are nothing short of appalled at the number of teardowns and newly constructed behemoths arising at an alarming rate. We cannot imagine what the long-term residents must be experiencing as streets are becoming unrecognizable (especially 45th Street).

Out of this growing concern, we were amongst the large crowd that gathered at Morningside Church last Thursday, November 29th. We listened to you discuss the record-breaking rankings of how Edina residents rated their quality of life. The survey firm must not have surveyed residents in Morningside. Of course the school system is terrific, and the community of people is wonderful, but the quality of life in our neighborhood is slipping. There is an overwhelming feeling of dissatisfaction amongst our community about the BUILDER-DRIVEN construction going on. You were presented with numerous issues at this meeting about how this type of development is negatively impacting our quality of life - including:

- New construction reduces the value of existing adjacent homes due to lost views, poor aesthetic, etc.
- Sidewalks and roads are being degraded by builder traffic (yet homeowners are expected to pay for new roads themselves!)
- Construction workers are urinating in adjacent yards, and outhouses nearly block sidewalks
- Volume of traffic and the speed of contractor vehicles down our roads has increased
- Construction noise, often beginning before 7am
- Storm water drainage off of these massive homes is problematic, concern of basement flooding (huge loss of impervious surface area with 5,000 sq ft homes replacing 1,500 sq ft bungalows)
- Loss of decades-old trees (The 7 lot Sidell development, "Acres Dubois," threatens to remove almost 50% of the 200 trees on the 3 acres, but that's likely a low estimate)
- Loss of sunlight through existing home's windows due to towering new construction.
- Loss of historic homes (e.g., 4400 Branson, original Morningside Police Chief residence, 4115 Morningside, airplane bungalow)
- Loss of aesthetic ("Acres Dubois" proposes bringing suburbia to Morningside, complete with a cul-de-sac)
- New houses are "detached" from the outside community with front facing garages instead of porches, few windows, and backend living areas.

- Builders push zoning to the max - building tall structures, with barely 5 feet to spare on the sides of 50 foot lots, and bulldozing mature trees, even if they are in the backyard.
- In some instances, approved plans have not looked like the final product built.

We understand that change is imminent in any community - but this letter is directed at the builder-driven, uncontrolled, *negative* change. There are examples of new construction that evokes positive change - we encourage you to drive past 4307 Eton Place where the house was carefully designed by the homeowner and crafted to "fit-in" to the historic charm of the neighborhood without dwarfing and damaging its neighbors. What is the difference here? This house and others were purchased by a single family, and coordinated with a builder, in that order. Too many other houses in this neighborhood are purchased by the builder first, and then controlled by that builder to be a large size thereby maximizing the builder's profit (typically these houses sell in excess of \$1M). If we wanted to move into this neighborhood today, we simply could not afford to; houses are purchased with the intent of being torn down at a whopping \$400K just for the land they are sitting on. Suddenly, it's a neighborhood dominated by just a handful of builders, namely, REFINED, DAVID ALLEN, and BELLA. These houses are:

- Nearly identical (can you tell the difference between 4242 and 4244 Scott Terrace?),
- Oversized (see all new construction by these builders), and
- Crowded - a lawnmower cannot pass between without having to use the neighbor's yard! (Drive by BELLA constructed houses 4113 or 4213 Morningside).

We fear that the proposed "Acres Dubois" Subdivision (3.1 acres on 4412 Morningside) would be a similar loss of Morningside's aesthetic. It was such a heated topic at the meeting that the pile of submitted questions could not be addressed. Thank you for volunteering to make copies of these concerns to share with City Council members. If such a hugely devastating leveling of property is allowed, how could new construction be controlled elsewhere? For example, we live next door to the original Morningside Church built in 1912. As our elderly neighbor discusses "selling out," this small historic home surely would be leveled and replaced by a wall of new housing blocking our morning sunrise. You see, while the pockets of the builders are being lined with profits, the actual residents of Morningside are the big losers - all the reasons listed above are undermining our quality of life.

If this is indeed the direction we're headed, where builders will simply elbow out and outbid single family buyers to take hold of this area, then we need your protection to put more comprehensive policies in place. The current state of development is threatening to forever change the face of Morningside, and the reason so many of us moved here in the first place.

We advocate for controlled development that preserves the character of our neighborhood, protects our trees and waters, and promotes our quality of life. We know that you believe these values are important, and so we ask you to work with us to save Morningside.

Sincerely,

Dr. David and Angela Deen
4301 Eton Place
Morningside

Cary Teague

From: jshf <jshf@comcast.net>
Sent: Thursday, December 06, 2012 9:49 AM
To: jhovland@krausehovland.com; floyd.grabiel@tsi.com; Cary Teague
Subject: sub division

Regarding the subdivision on Morningside.

High hopes that you, our elected officials and planners will not allow a cul-de-sac in our urban neighborhood---
A cul-de-sac (with all new homes) will look and feel like a fish out of water—or some weird SET on a bad Desperate Housewives drama.

If that lot must be subdivided--- we are counting on the city to make certain that it is a through street.

Having 7 more houses—average 2 cars each—14 cars—basically come out of that ONE ENTRANCE/EXIT “driveway- aka cul-de-sac” is not a good idea.

We already have safety issues with that **blind spot** coming over the hill—to Oakdale—and now another?

We also hope that some sort of guidelines will be drawn up (As far as aesthetic) —so the development blends with the rest of the neighborhood.

Thank you

Jilene Framke

Ps—what is with the *name* of the subdivision? Heaven forbid is its own NAME like some strange little Plymouth/Woodbury stand alone community...

December 6, 2012

Cary Teague
Community Development Director
City of Edina Planning Division
4801 W. 50th Street
Edina, MN 55424
(952) 826-0460

Dear Cary,

We are Rick and Sarah Hardy. We moved with our two school-aged daughters to Edina 2 ½ years ago from the city of Portland, Oregon where we lived in a turn of the (20th) century neighborhood called Laurelhurst. Prior to moving to Oregon, we owned a home built in 1908 in the St. Paul's Macalester Groveland neighborhood. In 2010, we chose Edina because of its excellent public schools and services, its close proximity to Rick's job and to our church, and for its unique proximity to urban and suburban amenities. We are "city" people who love established neighborhoods, sidewalks, older homes, urban wildlife and an eclectic community that is organized and engaged. In Edina, Morningside is, no doubt, the right pocket for us.

In January of 2011, our builder purchased a lot on our behalf from the Sidell family at 4408 Morningside Road. Throughout 2011, we planned and built our "new old" home and were delighted to take occupancy in December of 2011. In our choice of builder and in many subsequent design decisions, we made it a priority to design a home that fit the character of Morningside.

Recent developments with the Sidell Family, our neighbor at 4412 Morningside Road, have commanded our attention. The Sidells have proposed a new subdivision of 7 homes including a cul de sac on the east side of their property. The proposed cul de sac runs 8.7 feet from our property, 15 feet from our home and less than one foot from and parallel to our driveway. Frank Sidell knows that we have concerns with their plan and we have asked him to reconsider a west side cul de sac. A summary timeline of our experience and good faith efforts to work with the Sidell Family is attached as Appendix A.

We are compelled to take action to protect our home's safety, value, compliance with city code, and our quality of life. To that end, we respectfully express our concerns regarding the proposal for Acres Dubois at 4412 Morningside Road, Edina.

1. Adequate access to a subdivided Acres Dubois can be secured with a cul de sac running on the west side of the proposed sub-division. A number of points relating to history, safety, city code, fairness, due process under the law, and impact on residents' property values support this and are detailed in Appendix B.
2. An east side cul de sac, as proposed by the Sidell Family and under current review by the City of Edina Planning Commission, has a unique and profound impact on the Hardy

residence and residents nearby, affecting our property value and quality of life. These impacts include:

- Creating an unsafe intersection by placing a road within 1 foot of our driveway
- Pushing our home and driveway out of compliance with city code for set backs
- Risking a significant negative impact to our property value for the fiscal benefit of the Sidell Family
- Imposing a disproportionate and intimate amount of air, light, and noise pollution on the Hardy home

A detailed discussion is outlined in Appendix C.

3. The entire neighborhood faces the prospect of imminent and long-term heavy construction of seven new houses where today only one stands. We have concerns regarding the impact of the increased density in our neighborhood, and these are detailed in Appendix D.
4. We object to a through-street plan included, but not recommended, in the Sidell submission and our objections are outlined in Appendix E.

Above all, we ask the Edina Planning Commission and City Council to make a west side cul de sac a condition of any approval of a new sub-division on the property.

Frank Sidell's August 12, 2012 letter to neighbors describes the family's desire to create a positive legacy and to keep their plans "Morningside friendly." We trust his sincerity in this and our conversations with Frank and other family members to date have been open and reasonable. Similarly, the Hardy family picked Morningside for its neighborly feel. We are doing our best to work with our neighbors and our City to navigate a path that best balances the rights of all involved. Naturally, we look forward to welcoming any new neighbors who will be building their homes on Acres Dubois, just as we have been welcomed so warmly into our wonderful pocket of Edina.

Thank you for your diligence in this matter.

Sincerely,

Rick and Sarah Hardy
4408 Morningside Road
Edina, MN 55416
(952) 486-7658

12/06/2012

Sarah Hardy 12/6/12

cc Scott Dahlke, P.E
Frank Sidell

**APPENDIX A:
RECENT HISTORY OF 4408 AND 4412 MORNINGSIDE ROAD**

We Hardys live at 4408 Morningside Road, directly east and next to Acres Dubois at 4412 Morningside Road. We have lived in our house less than one year. The recent history of our property is relevant:

January 2011: 4408 Morningside Road purchased from the Sidell Family by REFINED LLC with the express written commitment to construct a new, custom home on site for Rick and Sarah Hardy

January - April 2011: Hardy home plan designed and finalized

May 3, 2011: Frank Sidell Sr. of 4412 Morningside Road passes away. *Unbeknownst to the Hardy family*, this event puts into motion the Sidell family plans to subdivide and develop Acres Dubois.

June 27, 2011: Ground is broken for Hardy home at 4408 Morningside Road.

December 15, 2011: Hardy family moves into 4408 Morningside Road.

December 2011- August 2012: Frank, Tina (Rhode), Phil and Mrs. Iris Sidell welcome us personally to the neighborhood and we exchange contact information and pleasantries.

August 11, 2012: Frank Sidell Jr. distributes a letter formally describing the Sidell family's intent to develop their property at 4412 Morningside Road.

Despite summer-long rumors in the neighborhood, August 11th is the first direct word from the Sidell family to us regarding their plans. Had the timeline of events for either family shifted by six months, it is likely that either of our decisions regarding the property and project would have been radically impacted.

October 9, 2012: The Sidell Family hosted a neighborhood meeting during which they revealed a drawing of their probable plan for Acres Dubois. This plan included a new east side cul de sac providing access to 6 new homes on the south end of Acres Dubois. The cul de sac is drawn directly next to and running parallel to the Hardy residence. The Hardy family was invited but not present at this meeting.

October 11, 2012: Having seen the plans, Sarah Hardy called Frank Sidell to ask why the road was not planned on the west side of their lot, away from the Hardy home and where any new road intuitively belongs. A meeting between families is set for October 19th.

October 19, 2012: Frank Sidell, Peter Knaeble (Terra Engineering), Sarah and Rick Hardy meet at the Hardy residence to discuss the Sidell's plan for Acres Dubois. An hour long discussion is held recapping the Sidell's reasons for the east-side access plan.

Together, we walked the Sidell property. Sarah and Rick made an appeal for a west side road citing the profound and unique impact of a road within 15 feet of their home. Frank and Peter agree to “take a second look” at a west side access option.

October 23, 2012: A second, larger neighborhood meeting is hosted by the Sidell Family to describe the plans for Acres Dubois. The plan presented at this meeting is the “East Side Cul De Sac” plan to which the Hardys objected on October 19th. Sarah Hardy attended the meeting and again verbalized the Hardy’s desire for a west side cul de sac accessing the new lots.

October 27, 2012: Sarah Hardy called Frank Sidell to request a direct response to their October 19th appeal for reconsideration of West side access. Frank reported that the Family will not be pursuing a west side access despite the impact of an east side road on the Hardy residence. The reason for this per Frank is “we lose a lot with a west side road.”

December 8, 2012: Planned meeting with Frank Sidell, Rick and Sarah Hardy.

**APPENDIX B:
IN SUPPORT OF WEST-SIDE ACCESS TO ACRES DUBOIS**

We feel that fair and adequate access to a subdivided Acres Dubois can be secured with a cul de sac running on the west side of the proposed sub-division. A number of points support this:

1. **History:** The original survey and vision for the neighborhood shows lot subdivision of this property with road access on the west side. Until Monday, December 3, 2012, a portion of road right-of-way still existed on the St. Louis Park border for this purpose. "Natchez Avenue South" is shown on Hennepin County Section Map N1/2 SE1/4 Sec.07 T.28 R.24 . Attached (Attachment 1) is a copy of a partial print of the section map with the Hardy residence, Acres Dubois development, and existing Natchez Avenue South noted. It is clear that the original intent for subdivision of the Acres Dubois parcel incorporated access with a west side road.

2. **Safety:** An intersection that logically continues an existing road, where stopped traffic already pauses, is a safer place to put a new street connection to Morningside Road. A continued street coming in from the north to Morningside Road where Oakdale already enters from the south will not surprise drivers and will be *no less safe* than the existing Oakdale / Morningside Road intersection.

3. **City Code:** Section 850.08 Subd. 6 part A. "General Requirements: Vehicular traffic be channeled and controlled in a manner that will avoid congestion and traffic hazards on the lot or tract or on adjacent streets. Traffic generated by the use shall be directed so as to avoid excessive traffic through residential areas." A west side cul de sac complies with this requirement, while an east side road presents potential hazards as described above and in Appendix C.

4. **Shared Impact:** The amount of light, noise and air pollution plus traffic congestion of a west side access into Acres Dubois is more fairly dispersed and shared by residents. St. Louis Park residents state in their recently granted petition to their City Council to vacate the right of way for Natchez Ave South that they would be buffered by a hillside between

them and any new prospective road on the west side of Acres Dubois. An east side road intimately and disproportionately impacts the Hardy residence and residences south of Acres Dubois on Morningside Road.

5. Property Values of affected west-side neighbors are already adjusted: Because the potential for “Natchez Avenue South” already existed (point 1, above), lots of record for residents of St. Louis Park whose homes backed up to this as-of-yet-unbuilt road had the existing road right-of-way, and the real possibility for a road, already factored into their property values. With the Right of Way vacated by the City of St. Louis Park on December 3, 2012, those property values could increase. St. Louis Park Residents’ desire to have the right of way vacated supports our position that a right of way – not to mention an actual adjacent road – depletes a property’s value.

6. Property Values of affected east-side neighbors are preserved: We assert that, if the City of Edina approves the plan as proposed for Acres Dubois, this is an illegal seizure of property value from the Hardy family and other neighbors to benefit a private party, the Sidell Family, without due process. A west side cul de sac avoids this unjust transfer of property value.

7. The Sidell’s Plan is preserved, in mirror image: We assert that the Sidell Family does not “lose a lot” by placing the road on the west side as has been previously indicated. An overlay of a mirror-image cul de sac to the one they are proposing shows that the road and lots fit in either configuration, east or west, regardless of the challenging topography to the north end of the lot. See the attached (Attachment 2) of a West Side Street Layout drawing. Additionally, any “loss of a lot” or value for the benefactors of Acres Dubois, needs to be weighed against the loss of property value for other existing owners impacted.

**APPENDIX C:
EAST SIDE CUL DE SAC CONCERNS**

An east side cul de sac, as proposed by the Sidell Family, has a unique and profound impact on the Hardy residence, affecting our home's legality, property value and our quality of life. These impacts include:

1. Home Setback Compliance: A new road west of the Hardy home creates ambiguity around the Front or Side Street Setback Requirements for City of Edina Single Family Dwellings. Front Street Setback is required to be 30 feet. Our home and garage are built facing our current west side lot line. Any future appraiser, future buyer, and/or future building permit official could interpret that the front of our house faces west (i.e. faces the proposed cul de sac) and therefore requires a front setback of 30 feet. OR, City Code Section 850.11 Subd. 7.A.2 and City of Edina Fact Sheet titled "Setback Requirements for City of Edina Single Family Dwellings" reads that Side Street Setback is 15 feet **"but increases to front street setback if adjacent house faces side street."** The Code's exception clause, and the exact interpretation of what is considered "adjacent," is somewhat ambiguous. Any future appraiser, future buyer, and/or future building permit official could interpret that our home meets the exception clause for Side Street Setbacks and therefore requires a front setback of 30 feet. This ambiguity impacts our home's compliance, value and desirability on the market, and complicates our deed and insurance requirements.
2. Driveway Setback Compliance: The east side cul de sac puts the Hardy residence driveway out of compliance with setback requirements for the City of Edina Single Family Dwelling Driveways. Per city code 1205.02 Subd. 3 **"Minimum Distance to Street Intersection.** The minimum distance between the driveway and the nearest return of the intersection of two streets shall be 50 feet as measured at the curb line of the street." Our driveway would be within 20 feet of the curb of the new cul de sac, an undesirable and unsafe distance that is out of compliance with City Code.
3. Air, Light, and Noise Pollution: The east side cul de sac places disproportionate amounts of light, noise and air pollution on the Hardy family. Partly due to the fact that it runs parallel to our home, but mostly due to the fact that the proposed right-of-way runs 15 feet from our home where no road currently exists, we will experience a tremendous and intimate amount of new headlight, streetlight, vehicular noise, and air pollution as a result of this new cul de sac.
4. Property Value: The plan for an east side cul de sac has *already* disproportionately and substantially depleted the property value of our home at 4408 Morningside Road. We did not purchase a corner lot for our home. Our home and driveway were not designed with the expectation that a road would be running directly to the west of our property. Our house currently conforms to all city codes, however if we were to try and sell our home today we would be compelled to disclose the Acres Dubois plans and their impact on our home.

**APPENDIX D:
DENSITY CONCERNS RELATING TO THE SUBDIVISION OF ACRES DUBOIS:**

While it is reasonable to expect the Sidell family to consider options for the Acres Dubois property, and Morningside is a neighborhood of higher density, the proposed plan will create an extreme challenge to the existing residents of this already developed neighborhood. The density of the sub-division creates the following concerns:

1. **Construction Schedule:** The demolition of one home and its outbuildings, property grading, and the construction of seven new homes, could result in years of construction nuisance to the nearby residents if not properly managed. We urge discussion of this topic upfront in the process, and accommodations be made to limit the impact to the neighborhood. Potential accommodations could include:
 - Reduce the number of new lots / homes
 - Coordinate construction on all new homes to happen simultaneously
 - If multiple builders are being used, require coordination among them in bringing equipment, building supplies, and high noise into the neighborhood
 - Limit and enforce hours of construction activity to 8:00AM to 5:00PM Monday-Friday with no construction on weekends or holidays.
2. **Burden on Infrastructure, Streets and Sewer:** More heavy machinery in Morningside takes a toll on our streets, which all residents will be assessed to upkeep. Also, will the burden of these net six new homes' plumbing and other infrastructure demands accelerate the need for repair or upgrade of Morningside's infrastructure? Will assessments be higher, and come sooner, as a result of this project?
3. **Urban Wildlife, Habitat, and Green Space:** Acres Dubois is a unique property in Morningside, a high-density neighborhood. Developing the property to the maximum limits of City Code will unfortunately result in the loss of precious urban green space, wildlife habitat, and trees, many of which are over a hundred years old. Has any consideration been made toward formally preserving at least a portion of this land and its unique qualities as a park or designated open space? Could one or more lot be designated or donated as "Sidell Park?"
4. **Impact to Edina Public Schools Enrollment and Cost:** The proposed development will introduce six new households to the Edina Public School district. From experience, we know that the currently districted public school for the Acres Dubois address is Highlands Elementary, which is experiencing several classrooms already beyond recommended capacity. How does the prospect of six net new households that could bring almost an entire new classroom of students to Highlands fit into the district's space and expense plans? Does the City expect that property tax revenues will cover the cost of educating the new school-age residents?
5. **The City's Comprehensive Plan:** The proposed density will alter the character of a portion of Morningside that has been in place for decades. Inserting seven new residences into a space that has accommodated one residence for this long period arguably defies the City's Comprehensive Plan which states "Building on current efforts, the City will seek options that allow for single-family redevelopment that is sensitive to the community character and context of existing neighborhoods."

**APPENDIX E:
CONCERNING A THROUGH-STREET PLAN FOR ACRES DUBOIS**

The option of a through-street connecting Morningside Road to Upper Oakdale / Littel Street has been raised, and supported by some residents. We feel compelled to comment against this option. We assert that the through-street plan adversely impacts us in all the same ways that an east-side cul de sac does as outlined in Appendix C, only to an amplified degree. Further, we believe that an approval of a through-street plan would be a detriment to the Morningside neighborhood and its residents given the following considerations:

1. Traffic for Close Neighbors: The traffic impact, including noise, light, and air pollution for the Hardys and neighbors on Morningside Road between Lynn and Upper Oakdale, is a major concern. Assuming ten trips per household per day, the traffic impact of six net new homes on a cul de sac entering onto Morningside road would be roughly 60 trips per day. The traffic impact of a through street would include traffic from 24 homes: the seven newly developed homes plus traffic from the seventeen newly-connected-to-Morningside Road homes on lower Oakdale. Traffic from a through street would be *minimum* one half of 240 trips per day, or 120.

Estimated Traffic Impact of a Through Street on Close Neighbors:

- Cul De Sac = 60 trips per day
- Through Street = 120 trips per day *minimum*

Further, each of these homes does or will provide housing for citizens of Edina, and therefore we assert that more than half of their trips out each day would take them south to Morningside Road and to their destinations in Edina including schools, work, kids' activities, churches, etc. We feel confident that a cul de sac would result in a milder traffic impact for close neighbors of Acres Dubois.

2. Cul de Sac does fit Morningside: A cul de sac is consistent with the eclectic nature of Morningside and its streets. There is precedent for dead-end and cul de sac streets in and near the Morningside neighborhood, when topography or other terrain challenges seem to have necessitated a break from the grid structure. Examples in Edina Morningside:
 - West 45th street off of Grimes
 - Upper Oakdale at Branson Street

There are additional dead ends and cul de sacs in Edina's nearby White Oaks neighborhood and even closer in neighboring pockets of St. Louis Park.

3. Urban Wildlife, Habitat and Water A through street necessitates the near complete obliteration of Acres Dubois for the sake of grading the landscape and paving the road, and near twice the impermeable road surface would result. A cul de sac holds promise for at least preserving some of the existing habitat for urban wildlife and water management.
4. Some have argued that "no variances whatsoever" should be the guiding principal as city planners review the options for Acres Dubois. We disagree and feel this is a unique property, and situation, meriting special and careful consideration for the neighborhood, the habitat and landscape, and the family's legacy.

Cary Teague

From: Patrick Judge <judge5920@gmail.com>
Sent: Thursday, December 06, 2012 11:37 AM
To: floyd.grabiel@tsi.com; Cary Teague; kevin@stauntonlaw.com
Cc: jhovland@krausehovland.com
Subject: Regarding Edina Planning Commission and the 7-8 lot "Acres Dubois" Subdivision

Dear Mayor Hovland and concerned parties,

As a resident of Edina -Morningside, I am emailing the following to express my thoughts on the proposed 7-8 lot "Acres Dubois" Subdivision. Let me thank you in advance for considering my thoughts as you navigate the governance of this issue. I do appreciate the opportunity to provide insight on the matter in question as it directly impacts my neighborhood.

My wife and I moved into Morningside a year and half ago with our two boys. Edina has a great quality of life and education to offer. Fortunately, here in the Twin Cities, there are many options for a great quality of life and education. So why choose Morningside? We chose Morningside for the character of the neighborhood. We are concerned the proposed sub-division will detract from that character. Having said that, it is important to understand, we are of the strongest opinion that new construction has a place in our neighborhood. We would never want to create a deterrent for some other couple's chance to move in to such a fine neighborhood. Our concern is centered on two things: 1) The laws or lack thereof regarding setbacks, heights, grandfathered in structures that can be taken advantage of by builders to expand the footprint of homes on narrow lots, and character preservation, and 2) The enforcement or lack there of regarding those laws.

To be clear, we do not want to prevent or deter new home construction. Rather, we want to welcome a dialogue with the building community. We feel strongly this dialogue can only be effective if the Planning Commission enacts and enforces a process that allows for the Builder's adherence to the concerns of the existing neighborhood.

Alternatively, the City might consider turning the property in question in to a park, library or botanical garden of sorts, maybe even a community co-op farm. Perhaps the neighborhood with the city's help can issue a municipal bond to buy the property from the owner. Edina could get great publicity for this. There is no shortage of creativity regarding what can be done with this property, and I am somewhat disappointed there is no energy coming from our elected officials to promote an alternative solution that can be a win, win for everyone.

Respectfully submitted,

Patrick Judge
4307 Eton Place
Edina, MN 55424

Chris McClain
4043 Sunnyside Rd.
Edina, MN 55424
(952) 929-8582
December 5, 2012

Ms. Cary Teague
Community Development Director
City of Edina Planning Division
4801 W. 50th Street
Edina, MN 55424

Re: Sidell Property Development

Dear Ms. Teague:

I am writing to express concern regarding the planned development of the Sidell family property on Morningside Rd. I believe that the drawbacks of the current development plan outweigh the benefits and request that the city of Edina take special note of the negative impact of the Sidell development on safety and congestion in the Morningside neighborhood.

Morningside is a wonderful, tight knit neighborhood that suffers from one major drawback. Its roads are used as traffic cut-throughs between Linden Hills/Lake Harriet and Highway 100/St. Louis Park. During rush hour in particular, cars race through the neighborhood, generating congestion, noise pollution, and, most importantly, safety concerns. I live on Sunnyside Rd., where we have already had two near misses (one with our dog and one with our five year old).

The proposed development of the Sidell property adds to this problem in two ways:

- 1) The addition of new lots will add, in all likelihood, 12+ new cars to the neighborhood as well as new traffic from visitors, delivery vehicles, construction crews, etc.
- 2) Traffic from the newly developed homes will flow onto Morningside Rd. at the crest of a hill, where it will by nature be difficult to see oncoming traffic.

I understand from conversations with residents who have lived in Edina longer than I have that the codes and regulations that govern development in the city may favor the developer. However, I cannot believe that those codes and regulations call for assessment of development plans solely through the lens of the developer. So, I ask that the city of Edina consider the impact of the proposed Sidell development on the well-being of all the residents of the Morningside neighborhood and not just the well-being of the Sidell family. Morningside is already plagued by traffic hazards, and any evaluation of the Sidell development plans must take this serious safety concern into account.

Thank you for your time and attention.

Best regards,



Chris McClain

December 5, 2012

Mr. Cary Teague
Community Development Director
City of Edina
4801 W 50th St
Edina, MN 55424

Dear Mr. Teague:

As adjoining property owners, we are writing to express our support for the proposed Acres DuBois subdivision.

Although change is often difficult and our properties will be impacted by the proposed subdivision, we feel the proposed plan is the best option for the entire community for the following reasons:

1. The proposed cul-de-sac street has a much smaller environmental impact than a through street connecting Morningside Road to Littel Street.
 - a. A through street would create approximately twice the impervious area as the proposed cul-de-sac, thus increasing the amount of stormwater runoff into the Minnehaha Creek watershed area.
 - b. A through street would require many more trees to be removed, especially on the steep slope area on the north side of the property.
 - c. A through street would require a much greater amount of land disturbance (cut and fill), especially in the low area where it would connect to Littel Street. Large retaining walls and/or steep slope embankments would be required to construct a road in this area.
2. The proposed location of the cul-de-sac on the east side of the property is the best location for access to the proposed subdivision.
 - a. The proposed location places the road at the crest of the hill, providing the best and safest sight distance lines for public safety of vehicles and pedestrians.
 - b. The proposed cul-de-sac location is equal distance between the existing Morningside Road intersections with Lynn Avenue and Ottawa Avenue South.
 - c. The proposed location places the road on high flat ground which reduces the amount of grading and ground disturbance required to construct the road and associate infrastructure.

Mr. Cary Teague
December 5, 2012
Page 3

Aaron and Judi Nathenson 4253 Ottawa Ave S, St Louis Park, MN 55416

Bonnie Berg and Rick Collins 4265 Ottawa Ave S, St Louis Park, MN 55416

January 29, 2013

Mayor Jim Hoveland and Edina City Council Members
c/o Cary Teague
Community Development Director
City of Edina Planning Division
4801 W. 50th Street
Edina, MN 55424
(952) 826-0460

Dear Mr. Mayor and Esteemed City Council Members,

We are Rick and Sarah Hardy. We own our home at 4408 Morningside Road in Edina. We are writing in response to the January 23, 2013 Planning Commission Sketch Plan Review of the Sidell Family Proposal for subdivision of their Acres Dubois property, and in anticipation of City Council's Sketch Plan Review of the Sidell Proposal on February 5, 2013.

Please refer to our two previous letters, dated December 6, 2012 and January 18, 2013, to Mr. Teague regarding Acres Dubois. These are included in the Planning Commission meeting materials from their December 12, 2012 and January 23, 2013 meetings. From our letters you will note that, as neighbors adjacent to the Sidell Property directly to its east, we were surprised and concerned about the Sidell's plan to install a road right next to our newly built home, thereby transforming our lot into a corner lot and imposing on us a profound nuisance.

We have been evidently thus far unsuccessful in pleading with the Sidell Family and arguing compellingly before the Planning Commission for a modification to the Sidell Plan that would flip of the plan in mirror image and result in a west side cul-de-sac accessing Acres Dubois away from our home. However, we are grateful that the plans under review presently do not include a through street running next to our home, which would cause even greater negative impact. Indeed, at the December 12th 2012 Planning Commission Review over 40 Morningside households plus 8 adjacent St. Louis Park neighbors, the City Engineer report and Traffic Study supported a cul-de-sac over a through street for Acres Dubois. Each of the Planning Commissioners who spoke at the January 23, 2013 Sketch Plan Review noted their opposition to a through street plan.

Further, the Sidell Family and the Planning Commission have been responsive to our pleas for mitigations and modifications to the original proposed cul de sac plan. Specifically, you'll note that in Mr. Teague's Staff Report for the December 12, 2012

Planning Commission Review several recommended conditions for Planning Commission approval. These include

- the deeding of Outlot A to our property at 4408 Morningside Road
- landscaping of Outlot A to mitigate road nuisance, and
- the re-orientation of our driveway to address the cul-de-sac due to traffic safety concerns.
- A construction management plan for the project in its entirety and each individual home

We are counting on the City and the Sidell Family to follow-through on these mitigations for us.

Also, in the Sidell "Modified Original" plan reviewed January 23rd by Planning Commission (filename "P-3 12-31-12 Prelim_Site_Plan."), both the road right of way and the road surface have been narrowed significantly from the December 12, 2012 plan. This set the eastern edge of the road further from our home and puts a reasonable setback between our house and the new cul-de-sac, dampening its impact on our home, and is a logical change for a number of additional reasons.

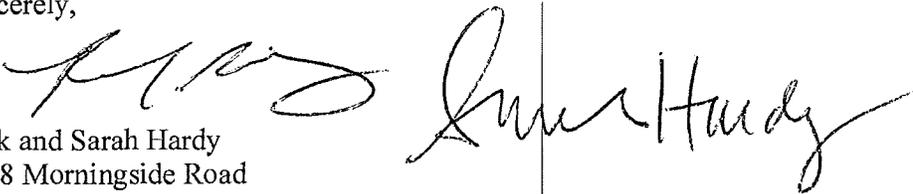
To be clear, our first choice among all options for Acres Dubois includes a cul-de-sac on the west side of the property. Absent that, the mitigations and modifications that have been agreed to make the "Modified Original" plan for Acres Dubois acceptable.

We are also interested in having the power poles and lines that run along the eastern border of Acres Dubois buried as a part of the subdivision project. All of the new homes in Acres Dubois will have buried power. We believe that, amidst all the construction, there is an opportunity to access and remove these eyesore poles and lines, and that their burial could mitigate the construction headaches that seven new homes will create for adjacent neighbors.

We are grateful for the opportunity to voice our position and are heartened that many of our concerns have been addressed through the mitigations noted above. Of the three options under current consideration, we urge the City Council to support what the Sidells call their "Modified Original Plan," also labeled "P-3 12-31-12 Prelim_Site_Plan."

Thank you for your diligence in this matter.

Sincerely,


Rick and Sarah Hardy
4408 Morningside Road