



PLANNING COMMISSION STAFF REPORT

Originator Cary Teague Community Development Director	Meeting Date July 24, 2013	Agenda # VI.A.
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INFORMATION & BACKGROUND

Project Description

Rodney Helm on behalf of Tom and Gretchen Shanight is proposing to subdivide the property at 5612 Tracy Avenue into two lots. (See property location on pages A1–A3.) The existing home would be torn down, and two new homes built on the new lots. (See applicant narrative and plans on pages A4–A16.) To accommodate the request the following is required:

1. A subdivision; and
2. Lot width variances from 80.7 feet to 80 feet for each lot; lot depth variances from 157 feet to 122 feet; and lot area variances from 17,651 square feet to 9,820 square feet.

Both lots would gain access off Tracy Avenue by a shared driveway, utilizing the existing driveway to the site. Within this neighborhood, the median lot area is 17,651 square feet, median lot depth is 157 feet, and the median lot width is 80.7. (See attached median calculations on pages A7–A10.) This is a neighborhood with varying lot sizes. Larger lots to the north across Vernon and to the east across Tracy Avenue have established the large minimum lot sizes for this property. The applicant is proposing to subdivide the property in the same manner as the existing lots on the west side of Tracy Avenue. (See pages A2–A3 & A17–A19.)

A subdivision with similar circumstances was recently approved in this area at 5633 Tracy Avenue by the applicant. (See attached plans and minutes from the Planning Commission and City Council meetings on pages A20–A26.)

Surrounding Land Uses

The lots on all sides of the subject properties are single-family homes, zoned and guided low-density residential. (See page A3.)

Existing Site Features

The existing site is a corner lot, contains a single-family home and attached garage. The lot is oversized compared to surround lots, contains mature trees, and relatively steep slopes along Hawkes Terrace. (See page A3.) Access to site is from Tracy Avenue. The single-family home would be removed.

Planning

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

Lot Dimensions

	Area	Lot Width	Depth
REQUIRED	17,651 s.f.	80.7 feet	157 feet
Lot 1	9,820 s.f.*	80 feet*	122 feet*
Lot 2	9,820 s.f.*	80 feet*	122 feet*

** Variance Required*

Grading/Drainage and Utilities

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

The grading plan shows the buildable area for Lot 1 with a 15 foot setback off of Tracy Avenue. (See page A15.) The required setback is 35 feet, to match the setback of the home to the north. If this subdivision is approved, it would not approve a building pad for a 15-foot setback. However, as indicated on page A15, there still would be adequate building area for a new home. There would be a building pad of 39 feet by 65 feet or 2,535 square feet.

Park Dedication

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

Primary Issue

- **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 fact that the subject property is double the size of all lots on this block. This block was originally platted with lots similar in size to those proposed with this subdivision, with the exception of the subject property. (See page A2.) The lot width and depth requirements are due to wider and deeper lots further away from the subject property, and primarily east of Tracy Avenue.

The requested variances to split this lot are reasonable in the context of the immediate neighborhood. The existing lot is both larger and wider than other properties in the immediate area. The proposed subdivision would result in two lots more characteristic of the neighborhood and original plat. If the variances were denied, the applicant would be denied a subdivision of his property of which the lots would be the same as existing lots in the area. (See pages A17–A19, which show lots area, lot width and lot depths in that immediate neighborhood.)

The applicant is proposing to preserve the slopes and vegetation along Hawkes Terrace, which includes Black Walnut trees, by using the existing driveway off of Tracy Avenue to gain access to both lots; rather than cut in two new driveways off of Hawkes Terrace. Access off of a local street and not Tracy Avenue, which is a much busier roadway, would typically be required, as it would normally be a safer entrance to the properties. However, in this instance, given the benefit of preserving the slopes, vegetation and mature trees, staff would recommend the shared driveway. The city engineer has reviewed the proposed access and would be agreeable. (See page A20.)

An easement must be established over Lot 1 granting an access easement for Lot 2.

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

The condition of this oversized lot is unique to the west side of Tracy Avenue on this block. All the lots on the west side of Tracy Avenue, north of Hawkes Drive are similar in size to the two proposed lots. The circumstance of the oversized lot was not created by the applicant.

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

No. The proposed improvements requested by the variance would not alter the essential character of the neighborhood. The neighborhood includes a vast majority of single-family homes on similar sized lots as proposed. The applicant proposes not to disturb the character along Hawkes Terrace, by utilizing the existing driveway off of Tracy Avenue to access both lots. (See page A15.)

Staff Recommendation

Recommend that the City Council approve the proposed two lot subdivision of 5612 Tracy Avenue; lot width variances from 80.7 feet to 80 feet for each lot; lot depth variances from 157 feet to 122 feet for each lot; and lot area variances from 17,651 square feet to 9,820 square feet.

Approval is based on the following findings:

1. Except for the variances, the proposal meets the required standards and ordinance for a subdivision.
2. The proposal is consistent with the lots on this block on the west side of Tracy Avenue north of Hawkes Drive.
3. The 80-foot wide lot is wider than the general standard required width of 75 feet.
4. The 9,820 square foot lots are larger than the general standard minimum lot area of 9,000 square feet.
5. The proposal meets the required standards for a variance, because:

- a. There is a unique hardship to the property caused by the existing size of the property which is roughly two times the size of every lot on the block.
- b. The requested variances are reasonable in the context of the immediate neighborhood. The existing lot is both larger and wider than most properties in the area, including every lot on the blocks north of Hawkes Drive and west of Tracy Avenue.
- c. The proposed subdivision would result in two lots more characteristic of the neighborhood.
- d. The variances would meet the intent of the ordinance because the proposed lots are of similar size to others in the neighborhood.
- e. If the variances were denied, the applicant would be denied a use of his property, an 80-foot wide, 9,000+ square foot lot, which is common to the area.

Approval is subject to the following conditions:

1. The City must approve the final plat within one year of preliminary approval or receive a written application for a time extension or the preliminary approval will be void.
2. Park dedication fee of \$5,000 must be paid prior to release of the final plat.
3. Vehicle access to these lots shall be off of Tracy Avenue.
4. Compliance with the conditions required by the director of engineering in his memo dated July 18, 2013.
5. Prior to issuance of a building permit, the following items must be submitted:
 - a. Submit evidence of a Nine Mile Creek Watershed District approval. The City may require revisions to the preliminary plat to meet the district's requirements.
 - b. A curb-cut permit must be obtained from the Edina engineering department.
 - c. A grading plan subject to review and approval of the city engineer.

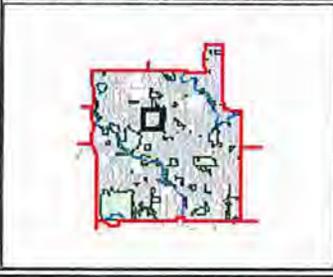
- d. A construction management plan will be required for the construction of the new homes.
- e. Utility hook-ups are subject to review of the city engineer.
- f. A private driveway easement established over Lot 1 to serve Lot 2 must be filed with Hennepin County.

Deadline for a City Decision: October 1, 2013

City of Edina



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



PID: 3211721130060

**5612 Tracy Ave
Edina, MN 55436**



AI



A2

5612 Tracy Subdivision: Explanation of Request

5612 Tracy Avenue is an oversized parcel that appears to be better suited as two parcels facing Hawkes Terrace. There currently is a single family dwelling on the site and a detached garage. The dwelling is in need of major renovation. Given the condition of the home, the break-up of value of the site has a much greater economic value than the single home/single site current configuration.

The proposed sites do not match the current zoning requirements for individual sites in lot median width and depth. Review of the plat and 500' radius surrounding neighborhood plats, it appears that original plat was meant to be two sites. Detailed answers to the variance questions are provided later in this application.

PLANNING DEPARTMENT
JUN 25 2013
CITY OF EDINA

5612 Tracy Subdivision: Explanation of Request

5612 Tracy Avenue represents a double parcel on the corner of Hawkes Terrace and Tracy Avenue. The remaining housing on Hawkes Terrace front Hawkes Terrace. There currently is a single family dwelling on the site and a detached garage. The dwelling is in need of major renovation. Given the condition of the home, the break-up of value of the site has a much greater economic value than the single home/single site current configuration. Also, the subject property is somewhat of an outlier, sitting back on its site and facing Tracy.

This subdivision requests separating the 160.1 by 122.75 foot lot, currently fronting Tracy on the 122.75 dimension, into two lots fronting Hawkes with 80 and 80.1 frontage. The south side of the site, which would be the Hawkes frontage, does have a rise and trees. The sites could either have (1) south side driveway egress to Hawkes with tuck under garage for the westerly site and optional egress to either Hawkes or Tracy at current curb cut for the easterly site or (2) create an easement access across east site from Tracy to the west site allowing rise and trees to be kept and retaining only one curb cut on Tracy. Plats were drawn as #1 option. We can have redrawn to #2 option, but that might be best left to the building permit process later.

PLANNING DEPARTMENT
JUN 25 2013
CITY OF EDINA

Attachment A: 5612 Tracy Variance Responses:

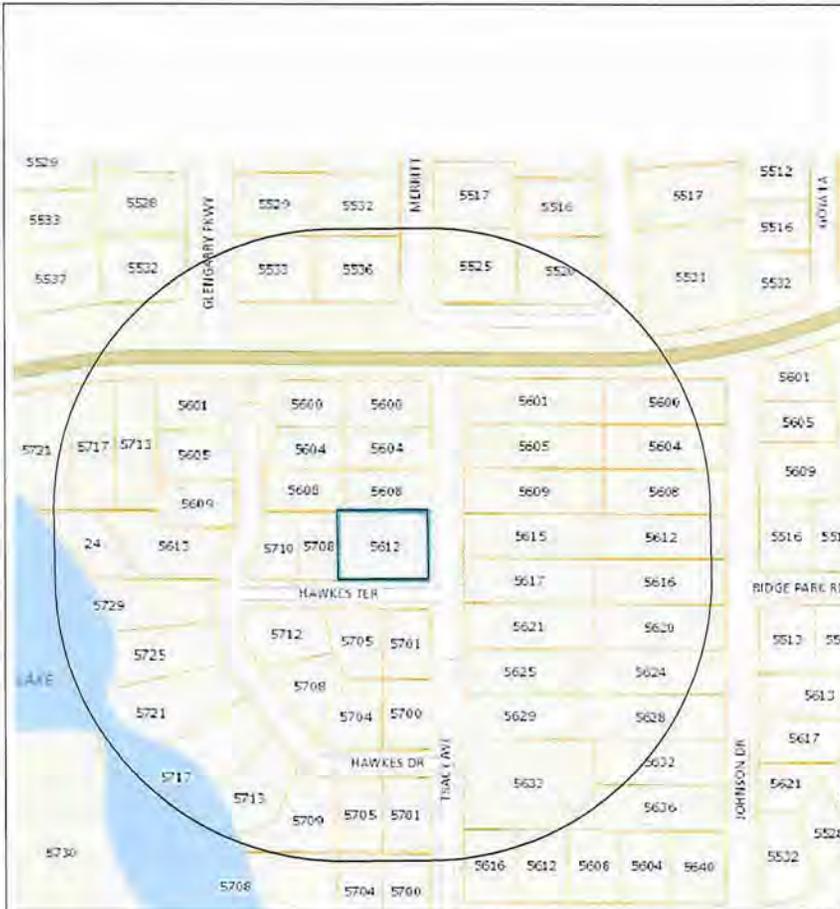
The proposed Variance will:

1) Relieve practical difficulties in complying with the zoning ordinance and that the use is reasonable: YES. The 500' neighborhood creates two practical difficulties, one relating to the lot width and the other to the lot depth. First, with regards to the lot width of the proposed sites, the proposed sites will be just under the median, which for ordinance purposes, requires variance. Of the 63 sites in the neighborhood, 21 sites lie within 6 inches of width of the proposed sites (reference attachment B). Due to the original platting, a number of sites are pie-shaped. Width is determined with a 50' setback into the sites. The result is that these pie-shaped create a greater width value than measured at the street, as would be the case for a standard rectangular platted neighborhood where lot width is lot width. This has skewed the median upwards some, pushing a number of conforming width lots (over 75' width), 31 of 32 that fall below the median, into non-conformance. With regards to depth, the 500' neighborhood really consists of two property types, those with more of a standard lot depth of 120-140', and those with excessive lot depths, 200; and over. These groups represent 20 and 27 of the properties in the 62 property set respectively. See attachment C. Because of these two separate groups of properties, and their relative distribution of property, the median for this particular neighborhood has been skewed upwards forcing a number of the more standardized lots to be in nonconformance with the median rule. Further, when looking at Hawkes Terrace specifically, the lot depth of the proposed sites match up directly with the remaining sites on the northside of street.

2) Correct extraordinary circumstances applicable to this property but not applicable to other property in the vicinity or zoning district: YES. Of the 63 property set in the defined neighborhood, the only other parcel that is double sized in nature is 5633 Tracy, which just received subdivision approval this past spring. No other sites are situated in such a way that would allow two 80' frontage lots. Further, by review of the 500' neighborhood platting, the subject site appears to have belonged to Hawkes Terrace from a livability standpoint, since it represents approximately two times the site directly to the west.

3) Be in harmony with the general purposes and intent of the zoning ordinance: YES. The proposed sites meet minimum lot width of the zoning area (75'). The depth of the lot matches the site directly to the west. With regards to the intent or spirit of the ordinance, the proposed sites offer approximately the same site offering as a number of the neighboring sites. As referenced above, in the general field of properties in the 500' radius, the sites are really grouped in two categories, excessively deep lots and standard lots. I have highlighted this fact on attachment C. Note that of the 63 defined neighborhood homes, 20 of them range from 120-140' creating a more standard category, while there is another grouping of much larger property, 27 in count, that have depth in excess of 200'. Again, this really creates two groups of property. The Hawkes Terrace properties tend to be more standard sized and match more directly against the proposed sites.

4) Not alter the essential Character of the neighborhood: YES. Looking directly at the Hawkes sites, the new proposed sites more directly reflect those sites. Also, by changing the frontage of the subject into two frontages on Hawkes, the neighborhood character of that street will only be enhanced, feeling more consistent with itself. This subject, in its current state, is somewhat disconnected with both Tracy Avenue and Hawkes Terrace. Subdivision of this site will provide greater consistency for Hawkes Terrace.



OWNERS WITHIN 500 FEET INFORMATION							
DESCRIPTION	ADDRESS	CITY	STATE	AREA	ACRES	DEPTH	DEPTH
8-1 John Andersons Add	5532 Glenarry	Greenlee	32-117-21-12-0019	1834	130	157	
12-2 John Andersons Add	5528 Glenarry	Faribault	32-117-21-12-0018	1813	112	158	
13-2 John Andersons Add	5533 Glenarry	Greenlee	32-117-21-12-0019	1792	120	150	
12-1 Victoriana Add	5521 Concession	Denison	32-117-21-12-0037	34663	150	180	
2-2 Victoriana Add	5520 Concession	Edinboro	32-117-21-12-0034	1841	130	153	
7-2 Victoriana Add	5525 Merritt Dr	Coleman	32-117-21-12-0044	19906	132	148	
8-2 Victoriana Add	5532 Merritt Dr	Hopkinton	32-117-21-12-0057	16949	112	150	
16-3 Victoriana Add	5536 Merritt Dr	Faribault	32-117-21-12-0058	17842	120	150	
2-2 Howkes Lake	5705 Howkes Dr	Franklin	32-117-21-13-0025	22393	75	287	
1-1 J & J Add	5600 Johnson Dr	Zelma	32-117-21-13-0036	17651	82	217.5	
1-1 Kahlridge Add	5600 Tracy Ave	Kelland	32-117-21-13-0040	19229	84	195	
1-2 Kahlridge Add	5717 Vernon St	Norwood	32-117-21-13-0043	17137	75	224	
1-2 Kahlridge Add	5713 Vernon St	Law	32-117-21-13-0044	16862	110	235	
2-1 Howkes Lake Add	5703 Howkes Lerr	Laughlin	32-117-21-13-0019	16997	103	125	
2-1 Howkes Lake Add	5712 Howkes Dr	Wadena	32-117-21-13-0050	13516	90	130	
4-1 Howkes Lake Add	5708 Howkes Dr	Beauregard	32-117-21-13-0041	19201	100	120	
5-1 Howkes Lake Add	5704 Howkes Dr	Baker	32-117-21-13-0022	11937	90	125	
6-1 Howkes Lake Add	5700 Howkes Dr	Chaska	32-117-21-13-0023	10286	85	120	
12-2 Howkes Lake Add	5702 Howkes Dr	Bellevue	32-117-21-13-0048	16278	75	300	
3-2 Howkes Lake Add	5721 Howkes Dr	Stone	32-117-21-13-0026	30613	75	300	
4-2 Howkes Lake Add	5717 Howkes Dr	Burnham	32-117-21-13-0027	37518	75	300	
5-2 Howkes Lake Add	5713 Howkes Dr	Mapleton	32-117-21-13-0028	20971	75	230	
6-2 Howkes Lake Add	5709 Howkes Dr	Chambers	32-117-21-13-0039	18221	75	197	
7-2 Howkes Lake Add	5705 Howkes Dr	Florida	32-117-21-13-0030	10798	80	137	
8-2 Howkes Lake Add	5701 Howkes Dr	Edinboro	32-117-21-13-0031	11491	89	125.5	
9-2 Howkes Lake Add	5700 Warden Ave	Wadena	32-117-21-13-0032	11543	85	139	
10-2 Howkes Lake Add	5704 Warden Ave	Martson	32-117-21-13-0033	10863	80	136	
2-1 J & J Add	5604 Johnson Dr	Wray	32-117-21-13-0037	17387	80	217.5	
2-1 Kahlridge Add	5608 Johnson Dr	Franklin	32-117-21-13-0038	17651	80	217.5	
2-1 Kahlridge 2nd Add	5604 Tracy Ave	Sonnes	32-117-21-13-0041	11776	75	155	
3-1 Kahlridge Add	5608 Tracy Ave	Hudson	32-117-21-13-0042	11619	75	155	
1-1 Kahlridge 2nd Add	5719 Howkes Ave	Jaquith	32-117-21-13-0045	10568	68.9	121.8	
2-1 Kahlridge 2nd Add	5708 Howkes Lerr	Salem	32-117-21-13-0047	9127	75	121.8	
3-1 Kahlridge 2nd Add	5608 Howkes Dr	Hermanston	32-117-21-13-0048	10630	75	135	
4 Warden Acres	5609 Tracy Ave	Guthrie	32-117-21-13-0050	16000	80	200	
4 Warden Acres	5625 Tracy Ave	Michaud	32-117-21-13-0057	15034	80	200	
4 Warden Acres	5624 Johnson Dr	Hales	32-117-21-13-0058	21350	80	200	
4 Warden Acres	5628 Johnson Dr	Shore	32-117-21-13-0059	21301	80	200	
7 Warden Acres	5612 Tracy Ave	Shanight	32-117-21-13-0050	19889 N/A	121.8 N/A	160 N/A	
Warden Acres	5730 Grove St	DuRoi	32-117-21-13-0055	N/A	N/A	N/A	

2-1 Warden Kiser Rapid	5632 Johnson Dr	Main	32-117-21-13-0067	18751	80.7	223.5	
3-1 Warden Keer Rapid	5636 Johnson Dr	Sageblom	32-117-21-13-0068	18749	80.6	223.5	
1-1 Warden Acres Larsons Ha	5605 Tracy Ave	Cookley	32-117-21-13-0071	19782	80	247.5	
1-1 Warden AC McGrew Ha	5617 Tracy Ave	Hanson	32-117-21-13-0073	18751	80.7	232.0	
2-1 Warden AC McGrew Ha	5616 Johnson Dr	Hanson	32-117-21-13-0074	18751	80.7	232.5	
2-1 Warden AC McGrew Ha	5620 Johnson Dr	Frank	32-117-21-13-0075	18749	80.7	232.5	
4-1 Warden AC McGrew Ha	5621 Tracy Ave	Isch	32-117-21-13-0076	18749	80.7	232.5	
2-2 Kahlridge Add	5711 Vernon Ave	Bluff	32-117-21-13-0049	16428	75	224	
4-1 Kahlridge Add	5604 Howkes Dr	Hammond	32-117-21-13-0049	10568	75	140	
5-1 Kahlridge Add	5600 Howkes Dr	Burnham	32-117-21-13-0050	12197	83	145	
11 Howkes Lake Add	5708 Warden Ave	Harris	32-117-21-13-0050	44392	80	235	
4-1 J & J Add	5612 Johnson Dr	Haven	32-117-21-13-0081	16428	80	217.5	
8-1 Kahlridge 2nd Add	5615 Tracy Ave	Sweeny	32-117-21-13-0082	18896	80	247.5	
8-1 Kahlridge 2nd Add	5601 Howkes Dr	Holland	32-117-21-13-0081	12305	93	181	
9-1 Kahlridge 2nd Add	5605 Howkes Dr	Hennepin	32-117-21-13-0082	11971	86	140	
8-1 Kahlridge 2nd Add	5609 Howkes Dr	Melinger	32-117-21-13-0083	12006	86	140	
9-1 Kahlridge 2nd Add	unassigned	Edna	32-117-21-13-0084	N/A	N/A	N/A	
9-1 Kahlridge 2nd Add	5613 Howkes Dr	Hanson	32-117-21-13-0085	10970	98	130	
1-1 Warden Acres Larsons	5601 Tracy Ave	Bortling	32-117-21-13-0088	20390	83	246	
5 Greenleaf Manor	5610 Warden Ave	Powatas	32-117-21-13-0088	12899	85	136	
1-1 Howkes Lake Add	5701 Howkes Lerr	Hanson	32-117-21-13-0078	16512	80	135	
4 Greenleaf Manor	5612 Warden Ave	Collins	32-117-21-13-0087	12020	93	130	
1-1 Kiser Subdivision	unassigned	Kiser	unassigned	18716	80.5	232.5	
2-1 Kiser Subdivision	unassigned	Kiser	unassigned	18716	80.5	232.5	

Lot areas shown from Hennepin County Tax Records

Lot Width and Depth as determined by the City of Edina's Subdivision shown Section 850 of the City Code. Lot Information from Hennepin County Plat Section Map.

SHEET INDEX			
Edina's Landmark Ordinance Survey			
Sheet 2 - Parkbury Plat			
Sheet 3 - 8 1/2 Acre 500 feet of 5-1/2 Acre Property			
Sheet 4 - Greenleaf, Edinboro, Lily and Tree Row			
Sheet 5 - Alameda Circle, Shingle, Lily and Tree Row			

Lot areas shown from Hennepin County Tax Records

R-1 LOTS WITHIN 500 FEET OF PROPOSED SHANIGHT ADDITION

Tom & Gretchen Shanight
5612 Tracy Ave.
Edina, MN 55436

NOTES:

Property Address: 5612 Tracy Ave., Edina, MN 55436
 Property Identification Number: 32-117-21-13-0050
 Existing Zoning Classification: R-1 (Single Dwelling Unit District)
 Proposed Zoning Classification: R-1 (Single Dwelling Unit District)
 Neighboring Building Footprints:
 Front Yard: Average of Adjacent Houses
 Side Yard: Varies with Building Height (5 feet minimum)
 Rear Yard: 25 feet
 Total Area of Property: 19641 sq. ft. (84.5 acres)
 Lot areas shown from Hennepin County Tax Records

Lot Width and Depth as determined by the City of Edina's subdivision shown in Section 850 of the City Code. Lot information from Hennepin County Plat Section Map.

Reference: The out of system at SE corner of Tracy Ave. and Vernon

Legal Description

The South 1 foot of the East 140 feet of Lot 6 and the East 1/2 foot of the North Half of Lot 7, WARDEN ACRES, Hennepin County, Minnesota.

SHANIGHT ADDITION

For
Tom & Gretchen Shanight
5612 Tracy Ave.
Edina, MN 55436

CERTIFICATION

The only easements shown are from state records or known records provided by client.
 I certify that this plan, specification, 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.
 Dated this 10th day of June 2013

Gregory R. Papp, L.S., Reg. No. 2492

Date of Survey	Scale	LOT SURVEYS COMPANY, INC.
6-05-13	1"=100'	LAND SURVEYORS
		7601 73RD AVENUE NE
		BROOKLYN PARK, MN 55429
		TEL: 650-2393 phone
		FED: 650-2322 fax
Firm No.	Client # and File Name	F.A. No. 1008-20 Invoice No. 81442

Attachment B, Shanight Addition: Sorted By width, Raw data collected from Surveyors numbers

Lot No	Width	Length
39	0	0
32	68.5	121.8
9	75	247
12	75	224
19	75	300
20	75	300
21	75	300
22	75	230
23	75	157
31	75	155
33	75	121.8
34	75	135
30	76	155
49	76	140
24	80	137
27	80	136
28	80	217.5
29	80	217.5
35	80	200
36	80	200
37	80	295
38	80	295
42	80	247.5
43	80	247.5
51	80	135
52	80	217.5
53	80	247.5
62	80.5	232.5
63	80.5	232.5
41	80.6	232.5
40	80.7	232.5
44	80.7	232.5
45	80.7	232.5
46	80.7	232.5
47	80.7	232.5
10	82	217.5
50	83	165
58	83	248
11	84	155
18	85	125
25	85	135.7
26	85	136
60	85	125
55	86	140
56	86	140
15	90	130
17	90	125
54	93	161
59	93	130
61	93	130
57	98	130
16	100	125
14	103	125
13	110	235
2	112	150
7	112	150
1	120	157
3	120	150
5	120	153
8	120	150
48	125	224
6	135	148
4	150	190
median	80.7	157
average	87.04127	183.96508

NOTE: 21 sites out of 63 are within 0.7 Ft width of proposed sites

ASG

Attachment C, Shanight Addition: Sorted by lot depth Raw date collected from Surveyors numbers

Lot No	Width	Depth
39	0	0
32	68.5	121.8
33	75	121.8
14	103	125
16	100	125
17	90	125
18	85	125
60	85	125
15	90	130
57	98	130
59	93	130
61	93	130
34	75	135
51	80	135
25	85	135.7
26	85	136
27	80	136
24	80	137
49	76	140
55	86	140
56	86	140
6	135	148
2	112	150
3	120	150
7	112	150
8	120	150
5	120	153
11	84	155
30	76	155
31	75	155
1	120	157
23	75	157
54	93	161
50	83	165
4	150	190
35	80	200
36	80	200
10	82	217.5
28	80	217.5
29	80	217.5
52	80	217.5
12	75	224
48	125	224
22	75	230
40	80.7	232.5
41	80.6	232.5
44	80.7	232.5
45	80.7	232.5
46	80.7	232.5
47	80.7	232.5
62	80.5	232.5
63	80.5	232.5
13	110	235
9	75	247
42	80	247.5
43	80	247.5
53	80	247.5
58	83	248
37	80	295
38	80	295
19	75	300
20	75	300
21	75	300
median	80.7	157
average	87.04127	183.96508

NOTE: Sites are primary in two groups, small sites, 120-140 lengths, and large sites 200+. General data set becomes very diverse because of this causing a very high median and average. This has forced a lot of the sites to be quite a bit under median.

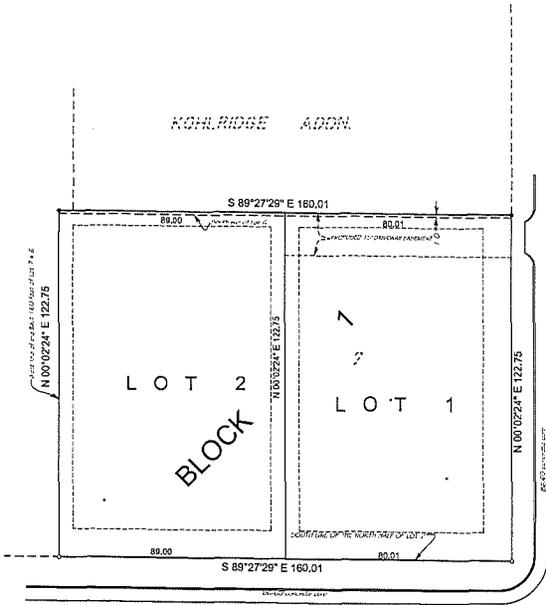
Attachment A, Shanight Addition: Raw data collected from Surveyors numbers

Lot No	Width	Length
1	120	157
2	112	150
3	120	150
4	150	190
5	120	153
6	135	148
7	112	150
8	120	150
9	75	247
10	82	217.5
11	84	155
12	75	224
13	110	235
14	103	125
15	90	130
16	100	125
17	90	125
18	85	125
19	75	300
20	75	300
21	75	300
22	75	230
23	75	157
24	80	137
25	85	135.7
26	85	136
27	80	136
28	80	217.5
29	80	217.5
30	76	155
31	75	155
32	68.5	121.8
33	75	121.8
34	75	135
35	80	200
36	80	200
37	80	295
38	80	295
39	0	0
40	80.7	232.5
41	80.6	232.5
42	80	247.5
43	80	247.5
44	80.7	232.5
45	80.7	232.5
46	80.7	232.5
47	80.7	232.5
48	125	224
49	76	140
50	83	165
51	80	135
52	80	217.5
53	80	247.5
54	93	161
55	86	140
56	86	140
57	98	130
58	83	248
59	93	130
60	85	125
61	93	130
62	80.5	232.5
63	80.5	232.5
median	80.7	157
average	87.04127	183.96508

A10

K12

KOHLRIDGE ADDN. ZIND



HAWKES TERRACE
HAWKE'S LAKE ADDN.

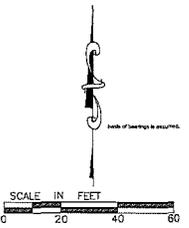
PROPOSED UTILITY & DRAINAGE
EASEMENTS ARE SHOWN THUS:



Being 5 feet in width and adjoining lot
lines and 10 feet in width and adjoining
right of way lines.

TRACY AVENUE
WARDEN ACRES LARSON'S REPLAT

SHEET INDEX
Sheet 1 - Existing Conditions Survey
Sheet 2 - Preliminary Plat
Sheet 3 - Part 1 and 2nd 320' lot of Subject Property
Sheet 4 - Grading, Drainage, Utility and Tree Plan
Sheet 5 - Monument Details, Driveway, Utility and Tree Plan



PRELIMINARY PLAT FOR:
Tom & Gretchen Shanight
5612 Tracy Ave.
Edina, MN 55436

NOTES:

Property Address: 5612 Tracy Ave., Edina, MN 55436
Property Identification Number: 32-117-21-13-0000
Existing Zoning Classification - R-1 (Single Dwelling Unit District)
Proposed Zoning Classification - R-1 (Single Dwelling Unit District)

Required Building Setbacks:
Front Yard: Average of adjacent lotlines.
Side Yard: Varies with building height (5 feet minimum)
Rear Yard: 25 feet
Sixt Street: Varies with building height (15 feet minimum)

Total Area of Property = 19641 sqft (0.45 acres)
Total number of proposed Lots = 2

Area of proposed Lots
Lot 1 = 9920 sq.ft
Lot 2 = 9720 sq.ft

Owner and Developer:
Thomas & Gretchen Shanight
5612 Tracy Ave.
Edina, MN 55436

Contact:
Rod Hahn
3033 Excelsior Blvd, Suite 140
Minneapolis, MN 55416
phone 650-024-0246

Boundaries: Top half of lot east of SE corner of Tracy
Ave. and Varnes
Easement = 137.37 feet

Legal Description

The South 1 foot of the East 100 feet of Lot 6 and the East 100 feet of the North Half of Lot 7, WARDEN ACRES, Hennepin County, Minnesota.

PRELIMINARY PLAT
SHANIGHT ADDITION
For:
Tom & Gretchen Shanight
5612 Tracy Ave.
Edina, MN 55436

CERTIFICATION

The only easements shown are from plats of record or information provided by client.
I certify that this plan, specification, 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.
Dated this 12th day of June, 2013

Signature: *Gregory R. Hartz*
Gregory R. Hartz, Minn. Reg. No. 24292

Date of Survey	7-15-13
Revised:	
File No.	Head of PAC/2013/01/01

LAND SURVEYS COMPANY, INC.
LAND SURVEYORS
7961 13RD AVENUE N.
BROOKLYN PARK, MN 55429
763-560-0093 phone
763-560-3352 fax

FA. No. 1058-26 Invoice No. 81442

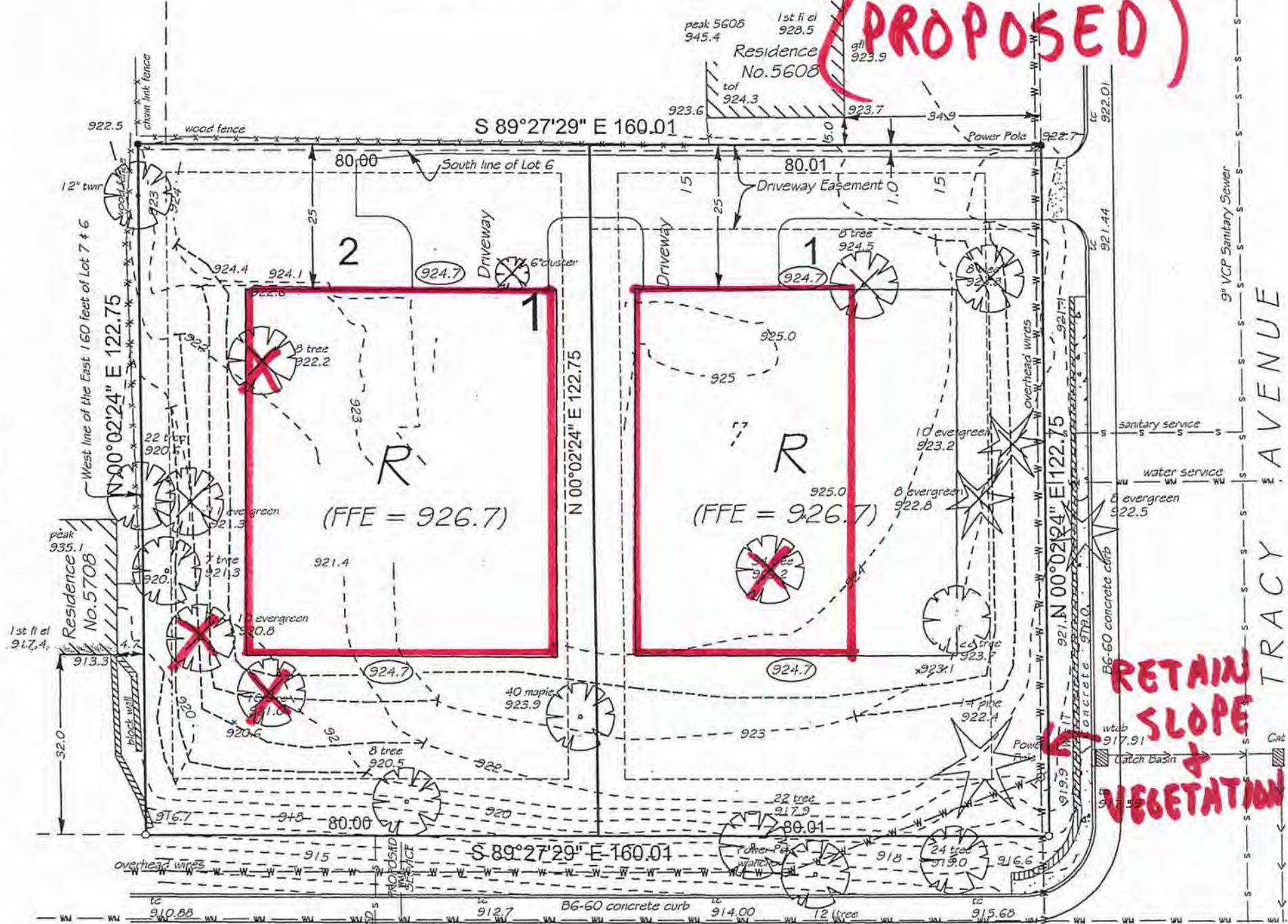
UTILIZING EXISTING DRIVEWAY (PROPOSED)

A15

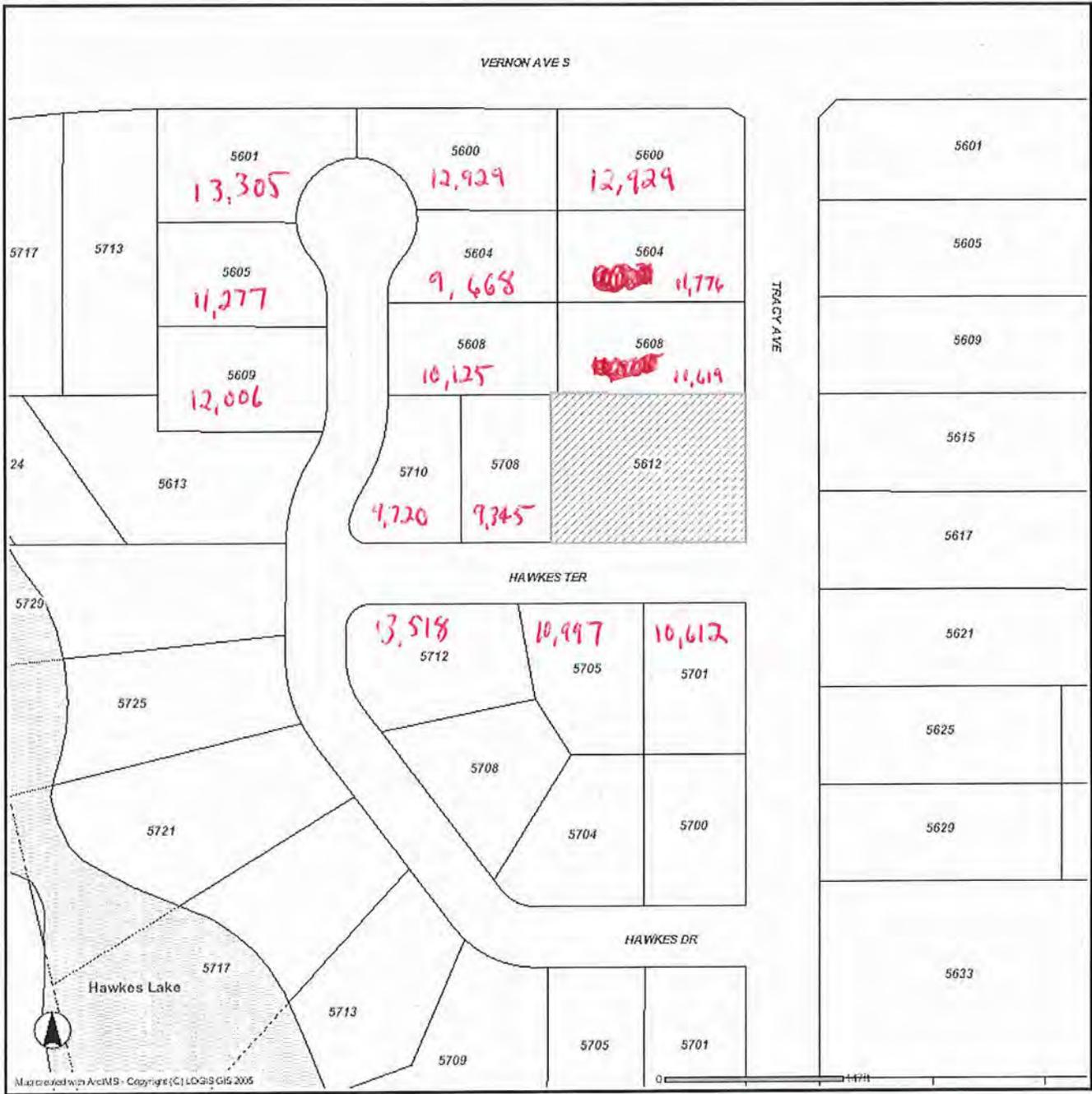
KOHLRIDGE ADDN. 2ND ADDN.

KOHLRIDGE ADDN.

60

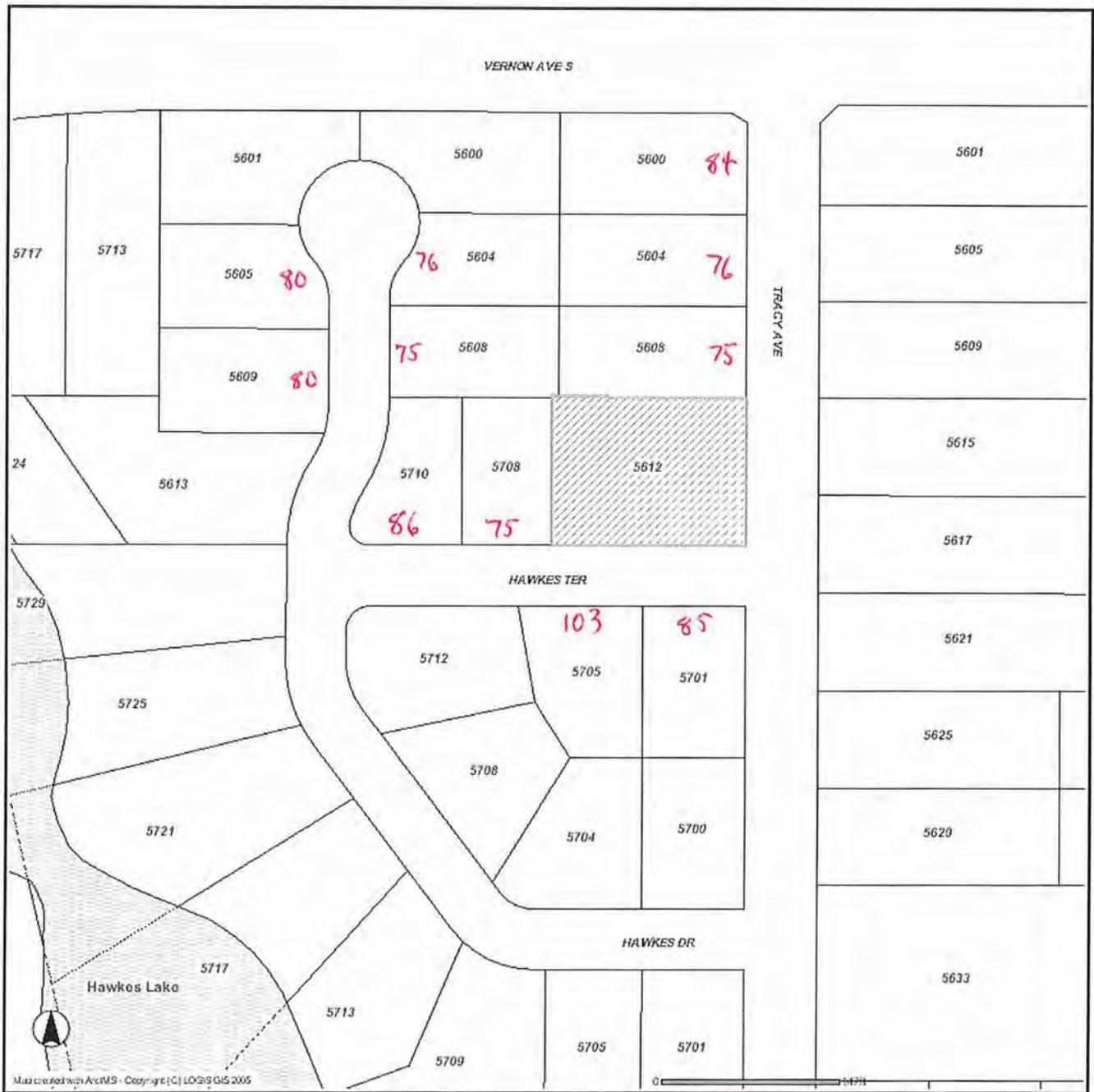


TRACY AVENUE



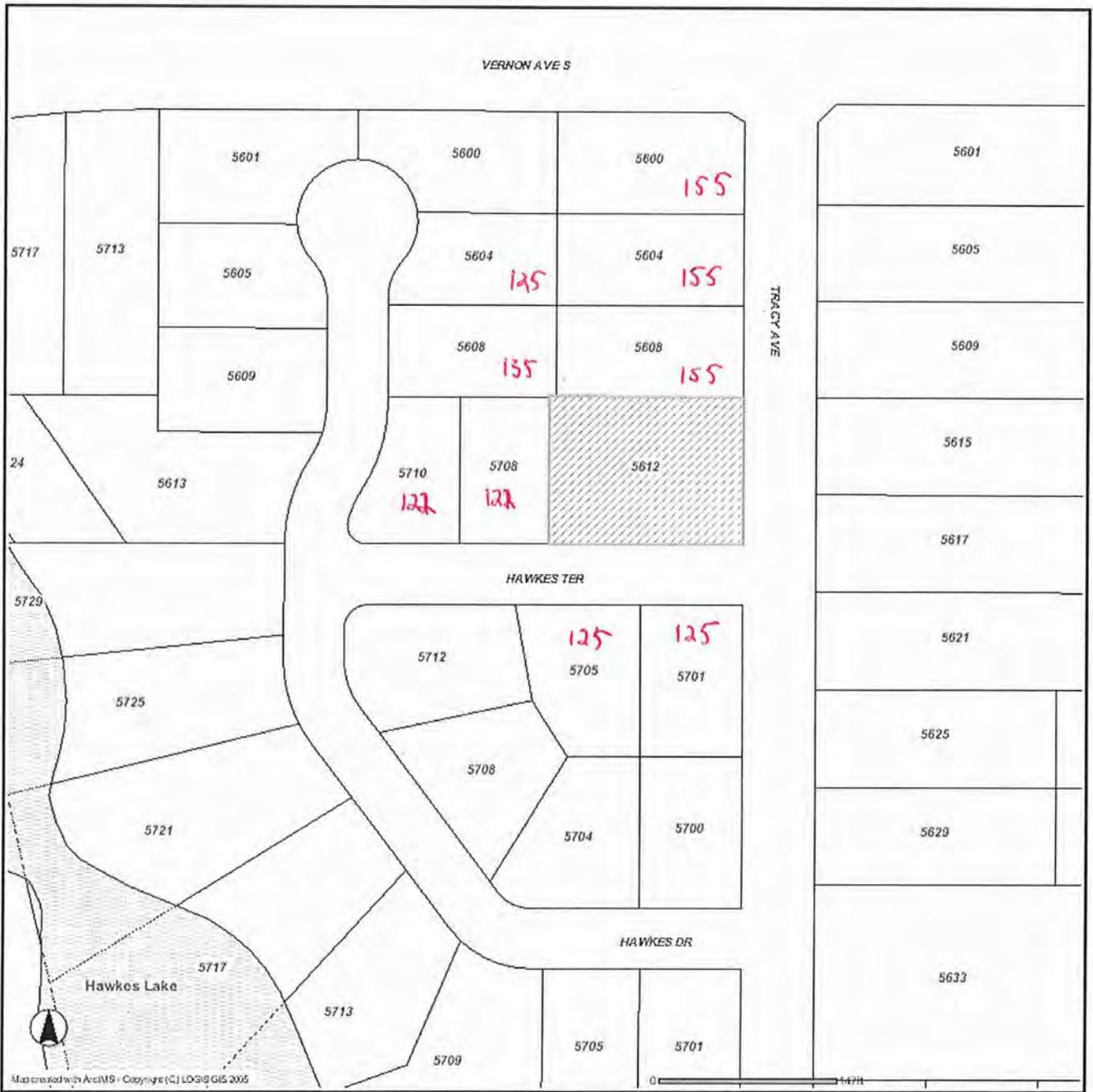
LOT AREA

A17



LOT WIDTH

118



LOT DEPTHS

A19

City of Edina



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

APPROVED
SUBMISSION

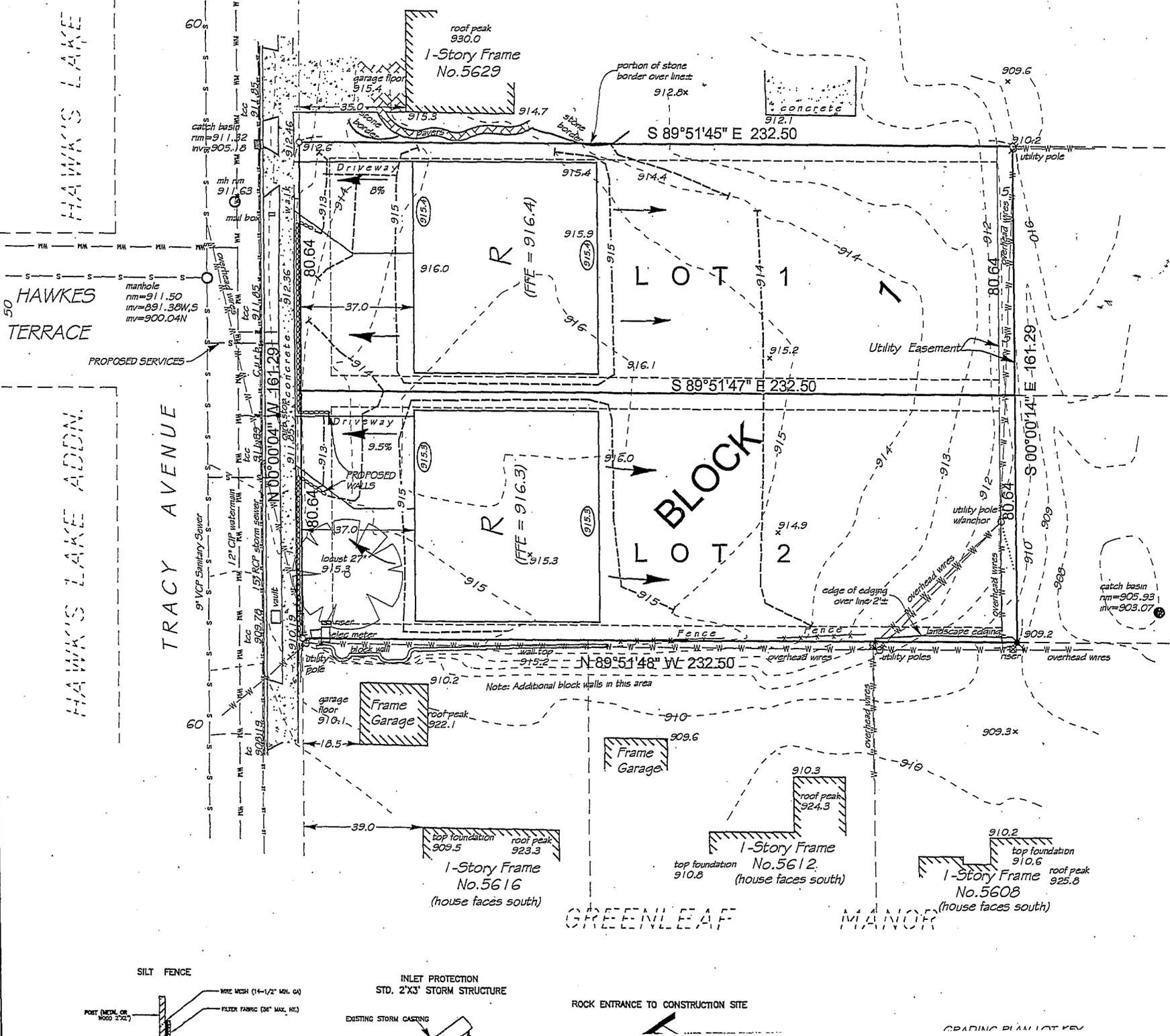


PID: 3211721130060

5612 Tracy Ave
Edina, MN 55436



A20



CONSTRUCTION NOTES

1. CONTACT GOPHER STATE ONE CALL EXCAVATION. (DIAL 811)
2. INSTALL SILT FENCE PRIOR TO CONSTRUCTION
3. PROTECT ANY EXISTING STREET CAV WITH INLET PROTECTION DEVICES.
4. AFTER EXISTING DRIVEWAY REMOVE/ ROCK CONSTRUCTION ACCESS FOR



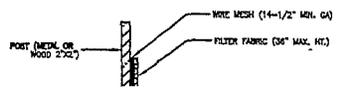
GOVERNING SPECIFIC

1. The 2005 edition of the Minnesota Dept. of Transportation Standard, Specification and the City of Edina's Specifications.
2. The latest edition of the Minnesota Manual Traffic control devices.
3. The latest edition of the City Engineers Minnesota Standard Specifications.

LEGEND

- - - Denotes Existing Contour
- - - Denotes Proposed Contour
- Denotes Iron Monument 5
- Denotes Iron Monument 1
- ☆ Light
- ⊕ Hydrant
- ⊕ Power Pole
- ⊕ Catch Basins
- Manhole
- - - Fence
- - - Overhead Wires
- - - Sanitary Sewer
- - - Storm Sewer
- - - Watermain
- - - Gas Main
- - - Easement Line
- - - Building Line
- ⊕ Denotes Proposed Elevation
- Denotes surface water direction
- ⊕ Denotes Existing Tree to be

SILT FENCE



INLET PROTECTION
 STD. 2'X3' STORM STRUCTURE



ROCK ENTRANCE TO CONSTRUCTION SITE

SHEET INDEX
 Sheet 1 - Exc
 Sheet 2 - Pn
 Sheet 3 - R-
 Sheet 4 - Gr

P.C. 2/13/2013

E. Subdivision. Kiser. 5633 Tracy Avenue, Edina, MN

Planner Presentation

Planner Teague informed the Commission Rodney Helm on behalf of Miriam Kiser is proposing to subdivide the property at 5633 Tracy Avenue into two lots. To accommodate the request the following is required:

1. A subdivision; and
2. Lot width variances from 85 feet to 80 feet for each lot.

Teague explained that both lots would gain access off Tracy Avenue. Within this neighborhood, the median lot area is 12,090 square feet, median lot depth is 136 feet, and the median lot width is 85 feet. The new lots would meet the median area and depth, but would be just short of the median width.

The applicant is proposing to subdivide the property in the same manner as the adjacent property to the east. Teague noted the condition of this oversized lot is generally unique to the Tracy Avenue area.

Planner Teague concluded that staff recommends that the City Council approve the proposed two lot subdivision of 5633 Tracy Avenue and the lot width variances from 85 feet to 80 feet for each lot. Approval is based on the following findings:

1. Except for the variances, the proposal meets the required standards and ordinance for a subdivision.
2. The subdivision would meet the neighborhood medians for lot area and depth, and nearly meet the median width.
3. The proposal is consistent with the lots on this block of Tracy Avenue.
4. The 80-foot wide lot is wider than the general standard required width of 75 feet.
5. The proposal meets the required standards for a variance, because:
 - a. There is a unique hardship to the property caused by the existing size of the property which is two times the size of every lot on the block.
 - b. The requested variances are reasonable in the context of the immediate neighborhood. The existing lot is both larger and wider than most properties in the area, including nearly every lot on the block. The proposed subdivision would result in two lots more characteristic of the neighborhood.
 - c. The variances would meet the intent of the ordinance because the proposed lots are of similar size to others in the neighborhood.
 - d. If the variances were denied, the applicant would be denied a use of his property, an 80-foot wide lot, which is common to the area.

Approval is also subject to the following conditions:

1. The City must approve the final plat within one year of preliminary approval or receive a written application for a time extension or the preliminary approval will be void.
2. Prior to issuance of a building permit, the following items must be submitted:
 - a. Submit evidence of a Nine Mile Creek Watershed District approval. The City may require revisions to the preliminary plat to meet the district's requirements.
 - b. A curb-cut permit must be obtained from the Edina engineering department.
 - c. A grading plan subject to review and approval of the city engineer.
 - d. All storm water from the proposed homes, driveways, and westerly half of the lots shall drain to Tracy Avenue.
 - e. Any disturbance to the roadway caused by the construction of the new homes must be repaired by replacing the asphalt pavement from curb-to-curb and from saw-cut to saw-cut.
 - f. A construction management plan will be required for the construction of the new homes.
 - g. Utility hook-ups are subject to review of the city engineer.

Appearing for the Applicant

Rodney Helm on behalf of Miriam Kiser and Miriam Kiser, property owner.

Discussion

Chair Staunton asked Planner Teague to clarify how lot sizes are determined; by the average or median. Planner Teague responded it's the median.

Commissioner Scherer commented that if she read the plans correctly the requested subdivision would mirror exactly the lots to its east. Planner Teague responded in the affirmative.

Applicant Presentation

Mr. Helm addressed the Commission and introduced property owner and longtime Edina resident Miriam Kiser.

Mr. Helm noted that within the 500-foot neighborhood there are 77 data sets. 22 of the lots range between 80 – 81 feet in width and eleven are at 80 feet. Mr. Helm pointed out while lot width variances are required for each lot the lots will exceed the minimum lot width requirement of 75-feet. Mr. Helm informed Commissioners that Tracy is a

State road and the State indicated they have no issues with the subdivision as proposed. Helm also noted both lots are stubbed for water. Concluding, Mr. Helm asked the Commission for their support. Mrs. Kiser echoed that statement.

Chair Staunton asked if anyone in the audience would like to speak to this issues; being none Commissioner Scherer moved to close the public hearing. Commissioner Forrest seconded the motion. All voted aye; motion carried.

Discussion

Commissioner Forrest said she doesn't agree with staff that one of the practical difficulties is the oversized lot. She added in her opinion practical difficulties exist because the median lot width gets skewed by the adjoining properties; however she pointed out lot area and depth exceed the median.

Motion

Commissioner Forrest moved to recommend preliminary plat approval with variances based on staff findings and subject to staff conditions. Commissioner Grabiell seconded the motion. All voted aye; motion carried.

VIII. REPORTS AND RECOMMENDATIONS

A. Zoning Ordinance Update – Residential Development – Ken Potts, Arlene Forrest and Mike Platteter

Commissioner Platteter introduced Commissioners Potts and Forrest reporting the three (at the request of the Commission) volunteered late October early November to create a small "working group/subcommittee" to tackle the issues of residential redevelopment as it relates to Code issues and construction management. Platteter said their final goal would be to provide suggestions/recommendations to the Planning Commission and City Council.

Commissioners Platteter, Forrest and Potts gave a brief overview and with the aid of graphics indicated where "we" were and where "we" are going. The following points were highlighted:

- Held two public information gathering forums and evaluated input results.
- Presented to the Commission current zoning comparisons between Cities; noting that Edina "fell into" the more restrictive category.
- As mentioned at the last Planning Commission meeting the themes of "concern" appear to fall into two categories; new/remodel, home size and lot modification

Minutes/Edina City Council/March 5, 2013

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland
Motion carried.

V. SPECIAL RECOGNITIONS AND PRESENTATIONS

V.A. FRANCE AVENUE PEDESTRIAN ENHANCEMENT PROJECT – UPDATE PROVIDED

Engineer Houle provided an update on the France Avenue Pedestrian Enhancement Project that was scheduled for construction from June to September of 2013. Mr. Houle answered questions of the Council related to right of way acquisition, ongoing work on urban design, and tying in to the existing bike infrastructure.

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

VI.A. PRELIMINARY PLAT WITH VARIANCES, RODNEY HELM ON BEHALF OF MIRIAM KISER, 5633 TRACY AVENUE – RESOLUTION NO. 2013-26 ADOPTED

Community Development Director Presentation

Community Development Director Teague presented the request of Rodney Helm, on behalf of Miriam Kiser, to subdivide the property at 5633 Tracy Avenue into two lots. The existing home would be torn down and two new homes built on the new lots. To accommodate this request, a Preliminary Plat and Lot Width Variances from 85 feet to 80 feet for each lot would be required. Mr. Teague indicated in this neighborhood, median lot area was 12,090 square feet, median lot depth was 136 feet, and median lot width was 85 feet. The new lots would meet the median area and depth but would be just short of the median width. Mr. Teague stated both staff and the Planning Commission recommended approval as the findings for variance approval had been met.

The Council asked questions of Mr. Teague relating to accommodation of storm water drainage, which would be addressed at the time of permit application. With regard to practical difficulty being tied to lot size, Mr. Teague noted if denied, this property owner would be denied a use that every other lot, including the lot to the east that was previously subdivided, had been granted.

Proponent Presentation

Miriam Kiser, proponent, stated she had lived at 5633 Tracy Avenue for 60 years.

Rodney Helm, Burnet Realty and listing agent for Ms. Kiser, indicated staff had well summarized the request and neighbors had provided only positive responses. He noted the new lots would meet 155% of the median square footage and 171% of the median length.

The Council encouraged Ms. Kiser to contact staff so an interview with the Historical Society could be scheduled to preserve the history of this property and the Kisers' original mid-century modern home.

Mayor Hovland opened the public hearing at 7:36 p.m.

Public Testimony

No one appeared to comment.

Member Bennett made a motion, seconded by Member Sprague, to close the public hearing.

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland
Motion carried.

Member Bennett introduced and moved adoption of Resolution No. 2013-26, approving a Preliminary Plat with Lot Width Variances at 5633 Tracy Avenue based on the following findings:

1. Except for the variances, the proposal meets the required standards and ordinance for a subdivision.
2. The subdivision would meet the neighborhood medians for lot area and depth, and nearly meet the median width.

3. The proposal is consistent with the lots on this block of Tracy Avenue.
4. The 80-foot wide lot is wider than the general standard required width of 75 feet.
5. The proposal meets the required standards for a variance because:
 - a. There is a unique hardship to the property caused by the existing size of the property which is two times the size of every lot on the block.
 - b. The requested variances are reasonable in the context of the immediate neighborhood. The existing lot is both larger and wider than most properties in the area, including nearly every lot on the block. The proposed subdivision would result in two lots more characteristic of the neighborhood.
 - c. The variances would meet the intent of the ordinance because the proposed lots are of similar size to others in the neighborhood.
 - d. If the variances were denied, the applicant would be denied a use of this property, an 80-foot wide lot, which is common to the area.

And 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 issuance of a building permit, the following items must be submitted:
 - a. Submit evidence of a Nine Mile Creek Watershed District approval. The City may require revisions to the preliminary plat to meet the District's requirements.
 - b. A curb-cut permit must be obtained from the Edina engineering department.
 - c. A grading plan subject to review and approval of the city engineer.
 - d. All storm water from the proposed homes, driveways, and westerly half of the lots shall drain to Tracy Avenue
 - e. Any disturbance to the roadway caused by the construction of the new homes must be repaired by replacing the asphalt pavement from curb-to-curb and from saw-cut to saw-cut.
 - f. A construction management plan will be required for the construction of the new homes.
 - g. Utility hook-ups are subject to review of the City Engineer.

Member Swenson seconded the motion.

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

VI.B. RESOLUTION NO. 2013-25 ADOPTED – APPROVING THE ISSUANCE OF OBLIGATIONS BY THE CITY OF LILYDALE, MINNESOTA TO FINANCE A PROJECT BY CALVIN CHRISTIAN SCHOOL OF MINNEAPOLIS

Finance Director Presentation

Finance Director Wallin indicated that in 2008, Calvin Christian School had requested the City issue tax exempt bonding to fund a project; however, that proposal was turned down. As a result, the School obtained taxable funding and was now requesting a public hearing to convert that taxable debt into tax-exempt conduit bank qualified debt issued by the City of Lilydale. It was noted the City of Edina would have no responsibility for the debt being proposed, if approved, and the purpose of the public hearing was to provide opportunity for residents to testify. Those comments would then be forwarded to the City of Lilydale.

Proponent Presentation

Steve Fenlon, 2042 Charlton Ridge, West St. Paul, Midwest Healthcare Capital and the Calvin Christian School's consultant, indicated if approved, the bond would be issued through the City of Lilydale to have access to bank qualification. A commercial bank would be the lender. The project scope was a building addition including a media center/library, computer lab, conference room, administrative office with health station, improvement to the front entry, a sprinkler system, extensive landscaping, and hallway with restrooms. That project cost was \$2.5 million with \$1.5 million financed through a taxable note.

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



Date: July 18, 2013

To: Cary Teague – Community Development Director

From: Wayne Houle – Director of Engineering

Re: Preliminary Plat for Shanight Addition
Dated June 25, 2013

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

- ⊙ A Nine Mile Creek Watershed permit will be required, along with other agency permits such as MPCA, curb cut permits from City of Edina Engineering Department, and a grading permit from the City of Edina Building Department.
- ⊙ SAC and REC fees will be required for this project.

Sheet 4 of 4 – Grading, Drainage, Utility and Tree Plan:

- Change background on plan to show improved Tracy Ave; the current plan does not show the concrete curb and gutter bike lane.
- Provide a swale from the southwest corner of the building pad of Lot 2 to Hawkes Terrace.
- To minimize the disturbance of the vegetative buffer along Hawkes Terrace, I would recommend that the applicant look at utilizing the current driveway apron on Tracy Ave for both driveways. I typically recommend removing driveways from collector streets to minimize access to busier roadways. I also recommend that the driveways be designed to have turn-around spaces so the exiting vehicles can drive into traffic versus backing into traffic.

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.

A27