



PLANNING COMMISSION STAFF REPORT

Originator Cary Teague Planning Director	Meeting Date August 22, 2012	Agenda # VI.C
---	--	----------------------

Recommended Action: Approve a Conditional Use Permit to allow the new first floor elevation of a home to exceed the 1 foot maximum increase allowed by ordinance.

Project Description:

A Conditional Use Permit request to allow the first floor elevation of a new home to be 3.2 feet higher than the existing first floor of the home to be replaced, (2.2 feet higher than allowed by ordinance), due to ground water issues, at 4710 Golf Terrace.

INFORMATION & BACKGROUND

Property owners Paul and Kristin Commers are requesting a Conditional Use Permit to construct a new home at 4710 Golf Terrace. (See site location, photos of the subject property and adjacent homes on pages A.1–A.4) A Conditional Use Permit is being requested to allow the first floor elevation of the new home to exceed the first floor elevation of the previous home by more than one foot. Specifically the applicant would like to raise the first floor elevation 3.2 feet above the first floor elevation of the previous home that had occupied the site. The first floor of the previous home was at 902.6 feet. The new first floor is proposed to be at 905.8 feet. The maximum allowed increase without a Conditional Use Permit is 903.6 feet, (See applicant narrative and plans on pages A.5 – A.13.) The new first floor is proposed to be 2.2 feet over the one foot allowed by city code in order to reasonably protect the lower level of the new dwelling from ground water intrusion. The attached Report of Geotechnical Exploration dated July 24, 2012, from Geo Engineering Consultants, Inc., regarding ground water levels indicates ground water at a level of 897.7 feet with a recommended lowest floor elevation of at least 894.0 to 895.0 feet, (see report: page A.14).

Surrounding Land Uses

- Northerly: Edina Country Club Golf course; zoned and guided low-density residential
- Easterly: Single-family residential homes; zoned and guided low-density residential
- Southerly: Single-family residential homes; zoned and guided low-density residential
- Westerly: Single-family residential homes; zoned and guided low-density residential

Existing Site Features

The existing 18,417square foot lot is currently occupied by a single story rambler with a two car garage built in 1951.

Planning

- Guide Plan designation: Low-Density Residential
- Zoning: R-1, Single-Dwelling District

Grading & Drainage

Drainage patterns would generally remain the same. The grading must not impact adjacent neighbors. Final grading and drainage plan is subject to review and approval of the city engineer at the time of building permit application. The proposed plans will also require a review and approval by the Minnehaha Creek Watershed District.

Conditional Use Permit

Per Section 850.04 Subd. 5.E, the City Council shall not grant a Conditional Use Permit unless it finds that the establishment, maintenance and operation of the use:

- 1. Does not have an undue adverse impact on governmental facilities, utilities, services or existing or proposed improvements;***

The proposal for a rebuild of a new single-family home would not have an impact on governmental facilities or services. A single-family home is a permitted use on the site.

2. Will generate traffic within the capacity of the streets serving the property;

The proposal to rebuild a single-family home would not have an impact on traffic or the capacity of the streets serving the property. The use, a single-family home, remains the same on the property.

3. Does not have an undue adverse impact on the public health, safety or welfare;

Again there would be no impact, as the use of the property remains the same.

4. Will not impede the normal and orderly development and improvement of other property in the vicinity;

The proposed new home would fit the character of the existing neighborhood. The proposed new home is two stories and there are a number of two story homes within the neighborhood, (See home comparisons on pages A.15 – A.30).

5. Conforms to the applicable restrictions and special conditions of the district in which it is located as imposed by this Section; and

The new home would meet all applicable zoning ordinance requirements.

6. Is consistent with the Comprehensive Plan.

A single-family home is consistent with the low-density residential land use designation within the Comprehensive Plan.

Additional Conditions

Per Section 850.11. Subd. 2: Additions to or replacement of single dwelling unit buildings with a first floor elevation of more than one (1) foot above the existing first floor elevation of the existing dwelling unit building. Such additions to or replacements of single dwelling unit buildings must meet one or more of the first three (3) conditions listed below, and always meet condition four (4).

1. The first floor elevation may be increased to the extent necessary to elevate the lowest level of the dwelling to an elevation of two (2) feet above the 100-year flood elevation, as established by the Federal Emergency Management Agency (FEMA), or the City's Comprehensive Water Resource Management Plan; or

2. The first floor elevation may be increased to the extent necessary to reasonably protect the dwelling from ground water intrusion. Existing and potential ground water elevations shall be determined in accordance with accepted hydrologic and hydraulic engineering practices. Determinations shall be undertaken by a professional civil engineer licensed under Minnesota Statutes Chapter 326 or a hydrologist certified by the American Institute of Hydrology. Studies, analyses and computations shall be submitted in sufficient detail to allow thorough review and approval; or
3. The first floor elevation may be increased to the extent necessary to allow the new building to meet State Building Code, City of Edina Code, or other statutory requirements; and
4. An increase in first floor elevation will only be permitted if the new structure or addition fits the character of the neighborhood in height, mass and scale.

Conditions #2 and #4 above apply to the proposed new home.

The proposed new home would have a low floor elevation of 893.8

The applicant would like the new home to have a 9 foot ceiling height in the basement. An eight to nine foot basement ceiling height within single-family homes in an Edina is typical, even though the minimum building code requirement is seven feet.

The inability to go down lower to accomplish an 9 foot ceiling height in the basement, the desire to raise the low floor elevation and an upgrade of building materials from previous building practice will result in the new home being 3.2 feet above the first floor elevation of the existing home and 2.2 feet above the allowable limit per ordinance.

The proposed new home would fit the character of the neighborhood. (See pages A.15 – A.30), which shows existing homes in the area). The proposed new home is a two story home with an attached three car garage. There are a mixture of housing styles and periods of construction throughout the neighborhood. There are ramblers to full two story homes nearby. The applicant's builder has indicated that home has been designed with mass and scale to minimize any impact of the new home may have on the adjacent homes.

Compliance Table

	City Standard	Proposed
Front –	Match neighbors	41.6 feet
Side – East	10 feet	13.52 feet
Side – West	5 feet (garage)	40 feet
Rear –	25feet	37.3 feet
Building Coverage	25%	19.3%
Building Height	35 feet	31feet

PRIMARY ISSUE & STAFF RECOMENDATION

Primary Issue

- **Is the proposed new home with a first floor elevation 3.75 feet higher than the existing home reasonable for this site?**

Yes. Staff believes the proposal is reasonable for four reasons:

1. The proposal meets the Conditional Use Permit findings. As demonstrated on pages 3-4 of this report, the findings and conditions required for this conditional use permit would be met.
2. As demonstrated on the Compliance Table on page 5 of this report, the proposal meets all minimum Zoning Ordinance standards.
3. Because of ground water issues, the basement of the new home must be elevated to a minimum recommended height of 894 – 895 ft. The new first floor height will be at 905.8, the basement providing 9 foot ceiling heights. A basement with an 9 foot ceiling is considered reasonable within the City.

4. The proposed new home is in character within this neighborhood. The home is similar to other homes constructed within the general area.

Staff Recommendation

Recommend that the City Council approve the Conditional Use Permit for a new home at 4710 Golf Terrace. The Conditional Use Permit allows the new home to have a first floor elevation of 905.8 feet which is 3.2 feet above the first floor elevation of the existing home and 2.2 feet above first floor height allowed by ordinance.

Approval is based on the following findings:

1. The proposal meets the Conditional Use Permit conditions of the Zoning Ordinance.
2. The proposal meets all applicable Zoning Ordinance requirements.
3. The proposed new home is in character with this neighborhood.

Approval is subject to the following conditions:

1. The site must be developed and maintained in conformance with the following plans:
 - Survey date stamped July 25, 2012
 - Building plans and elevations date stamped July 25, 2012.
2. Submit a copy of the Minnehaha Creek District permit. The City may require revisions to the approved plans to meet the district's requirements.
3. Final grading and drainage plans are subject to review and approval of the city engineer prior to issuance of a building permit. Drainage patterns may not be directed to adjacent properties.

Deadline for a city decision: September 23, 2012



**CONDITIONAL USE PERMIT
APPLICATION**

RECEIVED
JUL 25 2012

CASE NUMBER 2012.009.12a DATE 7/25/2012
FEE PAID ✓

City of Edina Planning Department * www.cityofedina.com
4801 West Fiftieth Street * Edina, MN 55424 * (952) 826-0369 * fax (952) 826-0389

FEE: \$800.00

APPLICANT:

* NAME: Paul and Kristin Commers (Signature required on back page)
ADDRESS: 4710 Golf Terrace PHONE: 612-860-7657
EMAIL: pcommers@armcom.com

PROPERTY OWNER:

NAME: Paul and Kristin Commers (Signature required on back page)
ADDRESS: 4710 Golf Terrace PHONE: 612-860-7657

LEGAL DESCRIPTION OF PROPERTY (written and electronic form):

Lot 1 Block 2 Golf Terrace Heights

PROPERTY ADDRESS:

4710 GOLF Terrace

PRESENT ZONING: R-1 P.I.D.# 19-028-24-22-0008

EXPLANATION OF REQUEST:

See attached

(Use reverse side or additional pages if necessary)

ARCHITECT: NAME: DFP PHONE: 763-780-8004

EMAIL: info@dfpdesign.com

SURVEYOR: NAME: Brown Surveying PHONE: 952-854-4055

EMAIL: wblandsurvey@aol.com

* represented by Scott Busyn @ Great Neighbor hood Homes
952-807-8765 scott.busyn@comcast.net

APPLICANT'S STATEMENT

This application should be processed in my name, and I am the party whom the City should contact about this application. By signing this application, I certify that all fees, charges, utility bills, taxes, special assessments and other debts or obligations due to the City by me or for this property have been paid. I further certify that I am in compliance with all ordinance requirements and conditions regarding other City approvals that have been granted to me for any matter.

I have completed all of the applicable filing requirements and, to the best of my knowledge, the documents and information I have submitted are true and correct.

 Kristin B Commey 7/25/2012
Applicant's Signature Date

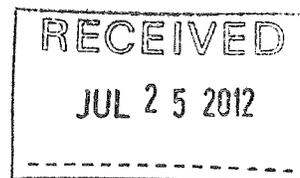
OWNER'S STATEMENT

I am the fee title owner of the above described property, and I agree to this application.

(If a corporation or partnership is the fee title holder, attach a resolution authorizing this application on behalf of the board of directors or partnership.)

 Kristin B Commey 7/25/2012
Owner's Signature Date

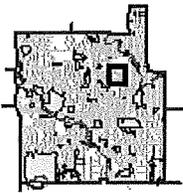
Note. Both signatures are required (if the owner is different than the applicant) before we can process the application, otherwise it is considered incomplete.



City of Edina



- Legend**
- Surrounding House Number Labels
 - House Number Labels
 - Street Name Labels
 - City Limits
 - Creeks
 - Lake Names
 - Lakes
 - Parks
 - Parcels
 - 2009 Aerial Photo



PID: 1902824220008

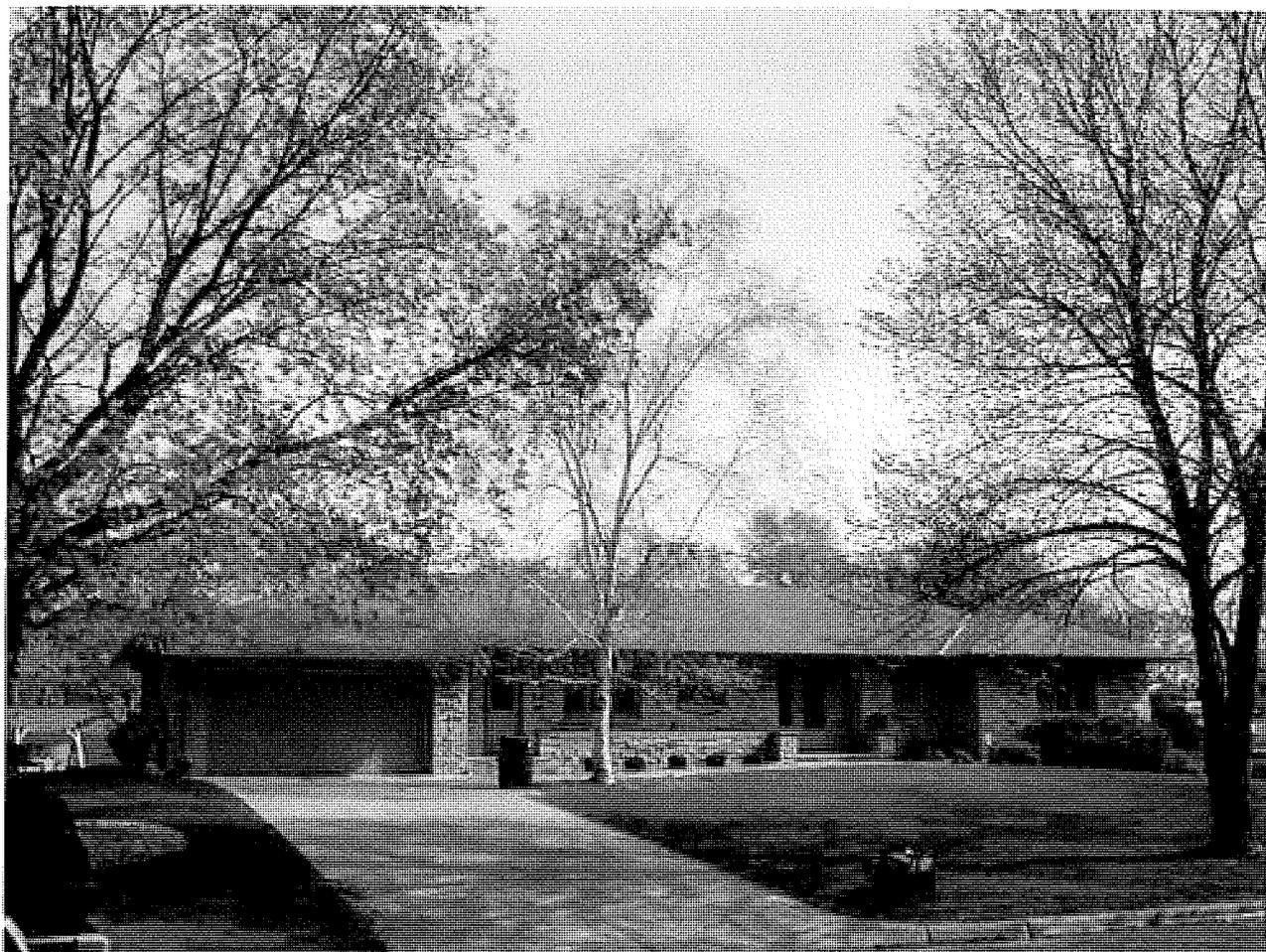
**4710 Golf Ter
Edina, MN 55424**



Property

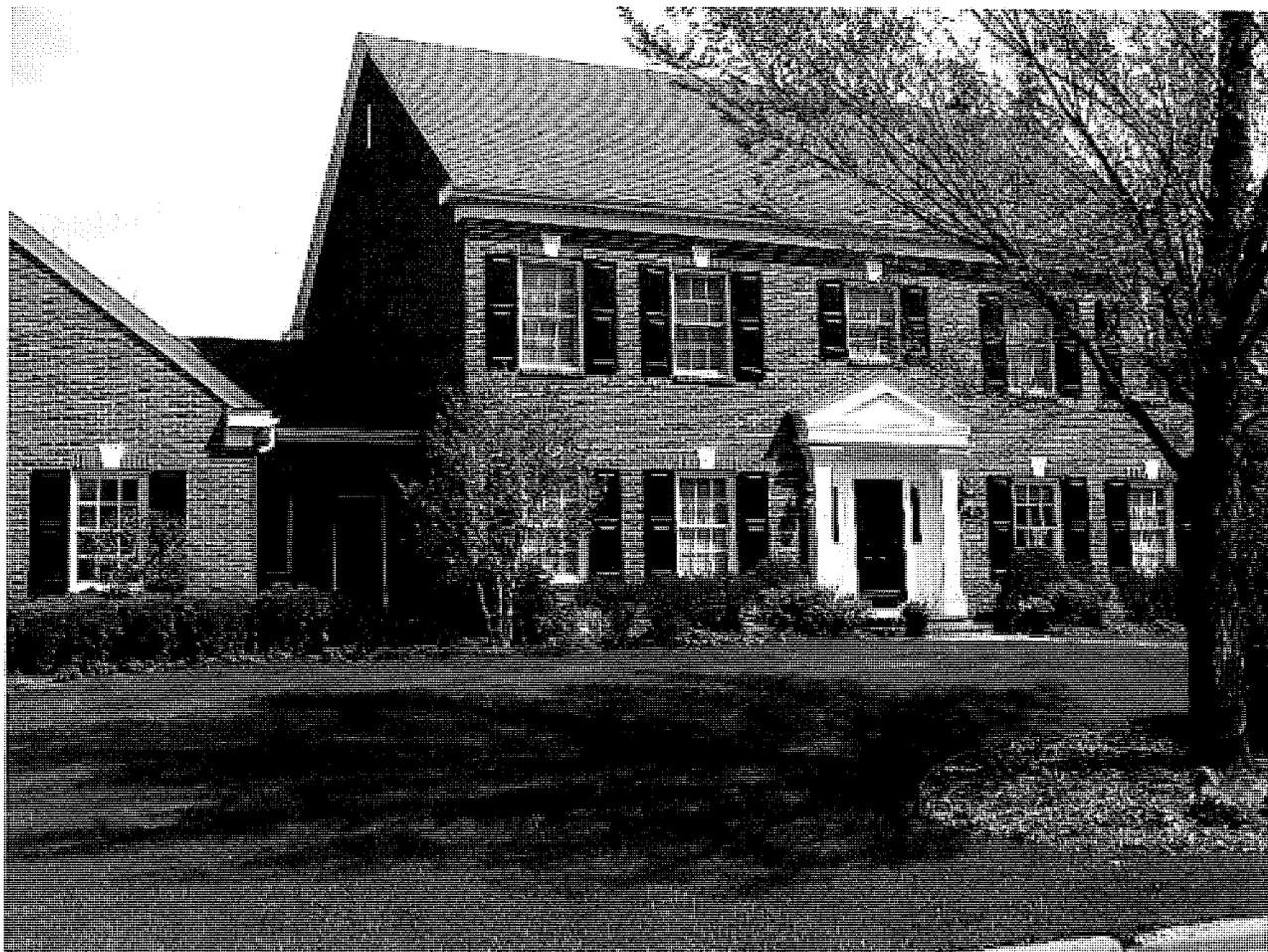
Assessing

A.1



*subject HOME
4710 Golf Terrace*

A.Z



ADJACENT HOME TO 4105 EAST
4709 GOLD TOWN.

A.3



*Home adjacent to the
west: 4800 Croft Terr.*

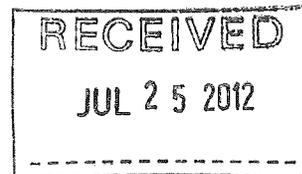
A. H

4710 Golf Terrace Conditional Use Permit Application

We are proposing building a new home at 4710 Golf Terrace with a new floor 3.2 feet above the floor height of the previous home (that has since been demolished). This new floor is being built 2.2 feet over the one foot allowed by city code in order to reasonably protect the lower level of the new dwelling from ground water intrusion. The attached documentation from Geo Engineering Company shows the groundwater level at 892 and the recommended lowest floor elevation height of 895.

All other dimensions of the new home will meet Edina's zoning rules and the home is designed to fit the character of the neighborhood in height, mass, and scale.

The home exterior will feature stone details facing Golf Terrace, cedar shingle siding, and an asphalt roof. These are materials that blend in with the character of homes on Golf Terrace.



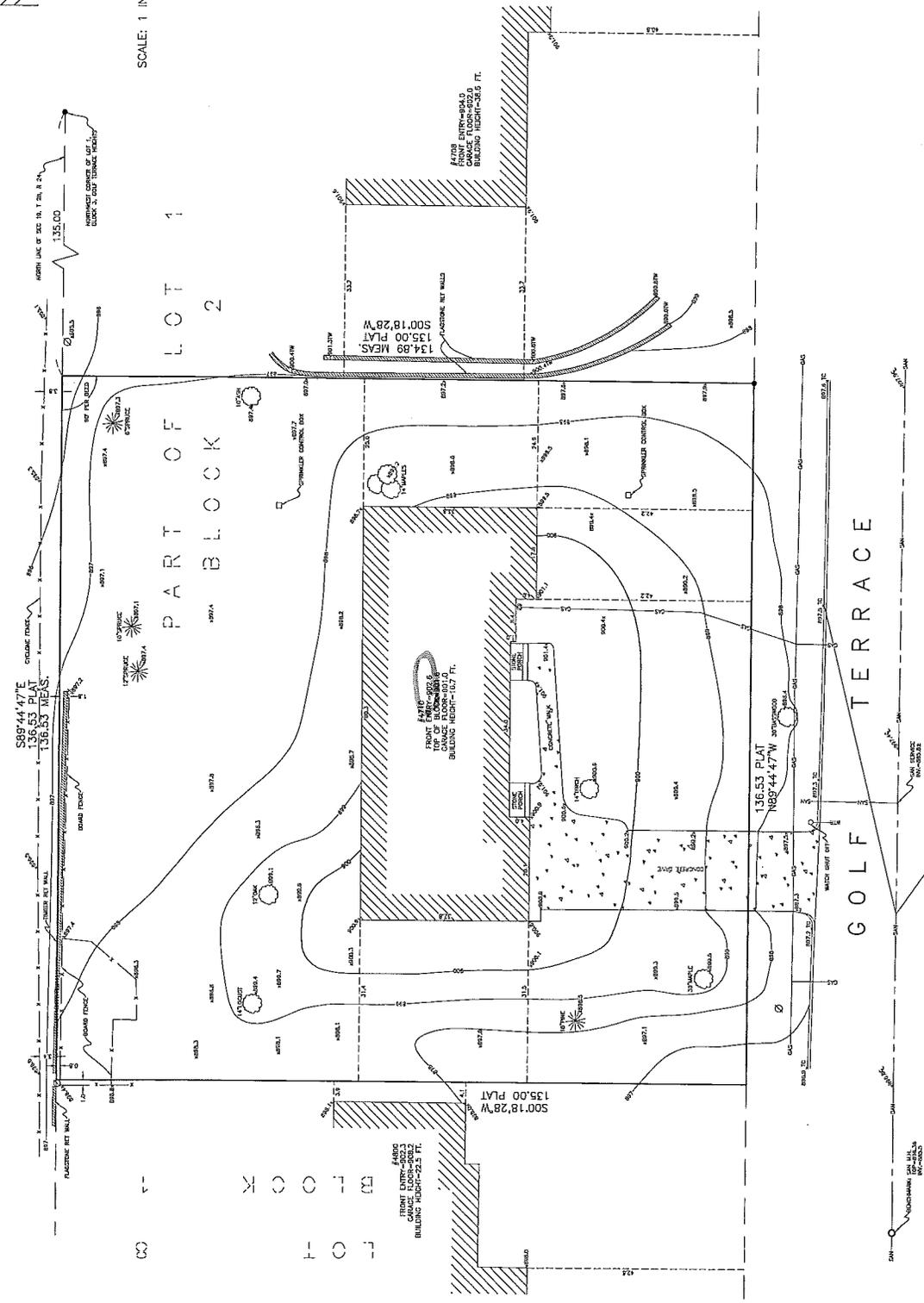
A.5

LEGAL NEIGHBORHOOD HOMES

- Fence
- SAN --- Sanitary Sewer
- WTR --- Water
- GAS --- Underground Gas
- Manhole
- Gas Meter
- Power Pole
- Occasional Tree
- Coniferous Tree
- Concrete Curb
- Existing Spot Elevation
- x900.0TW Top of Wall Elevation
- x900.0TC Top of Curb Elevation
- Existing Contour

SCALE: 1 INCH = 10 FEET

PART OF BLOCK 2



AREAS
 Lot Area = 18,417.5 Sq. Ft.
 F400 = 43.6 FL.
 F408 = 43.6 FL.
 IMPERVIOUS SURFACE:
 House = 2,492.5 Sq. Ft.
 Total = 2,492.5 Sq. Ft.
 Average = 41.8 FL.

PROPERTY DESCRIPTIONS
 That part of Lot 1, Block 2, lying West of a line running at right angles to the center line of the 19' bearing S 20° 19' 19\"/>

BENCHMARK:
 Top of Sanitary Manhole Elevation 899 on Centerline of 480' GOLF Terrace. Elevation = 1043.5.

NOTE: No Search Was Made For Any Encumbrances

NOTE: The location of all utilities shown on this plan were furnished by the utility companies and are shown for approximate locations. Utility Companies should be notified for exact location before doing any excavation.

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

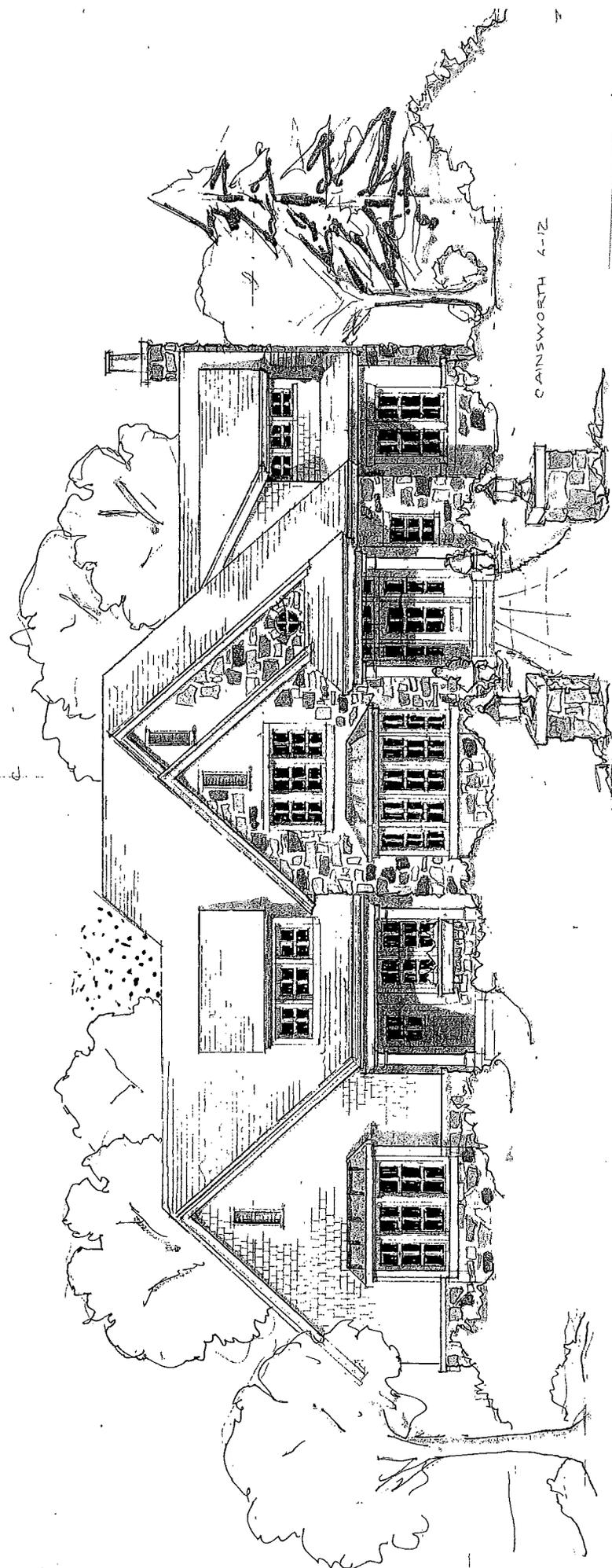
W. BROWN LAND SURVEYING, INC.
 Woodrow A. Brown, R.L.S., MN REC 15230
 Dated: _____

W. BROWN LAND SURVEYING, II
 8030 Cedar Avenue, Suite 228,
 Minneapolis, MN 55425
 Phone: (612) 854-4655
 Fax: (612) 854-4658

Drawing: 86-12
 Date: 05-22-2012
 Sheet: 1 of 1
 Scale: 1 inch = 10 Feet

Survey of Existing Homes

A.C



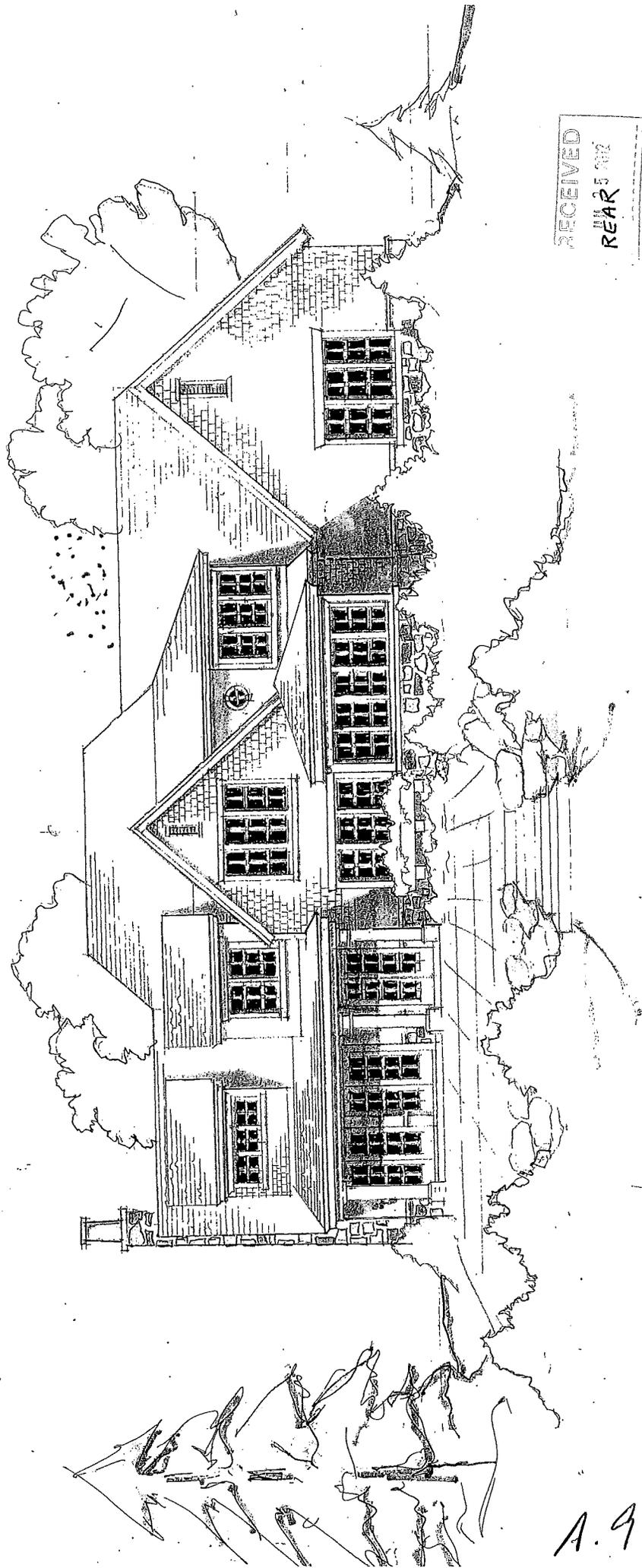
CAINSWORTH 4-12

RECEIVED
FRONT 25 2012
TAC

Proposed Home

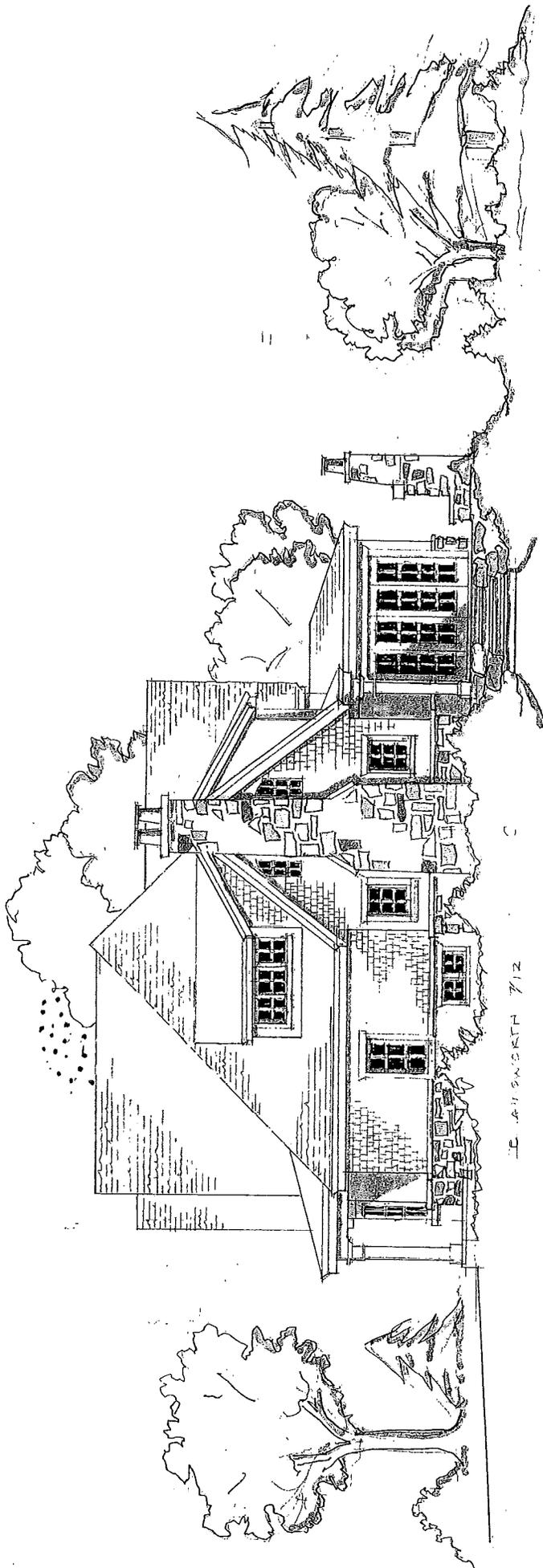
A. B.

1/12/12



RECEIVED
MAY 5 1972
REAR

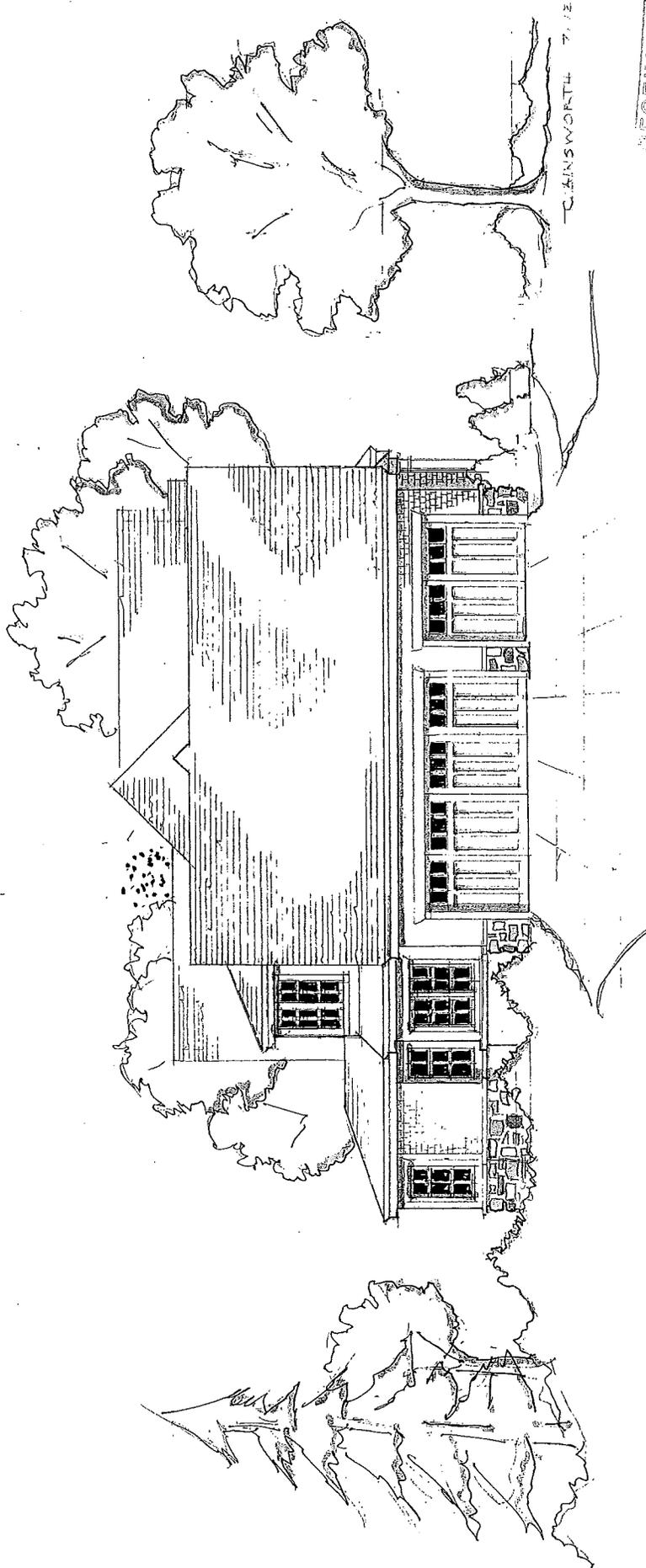
A. 9



E. AUENRATH 712

RECEIVED
MAY 2 2012

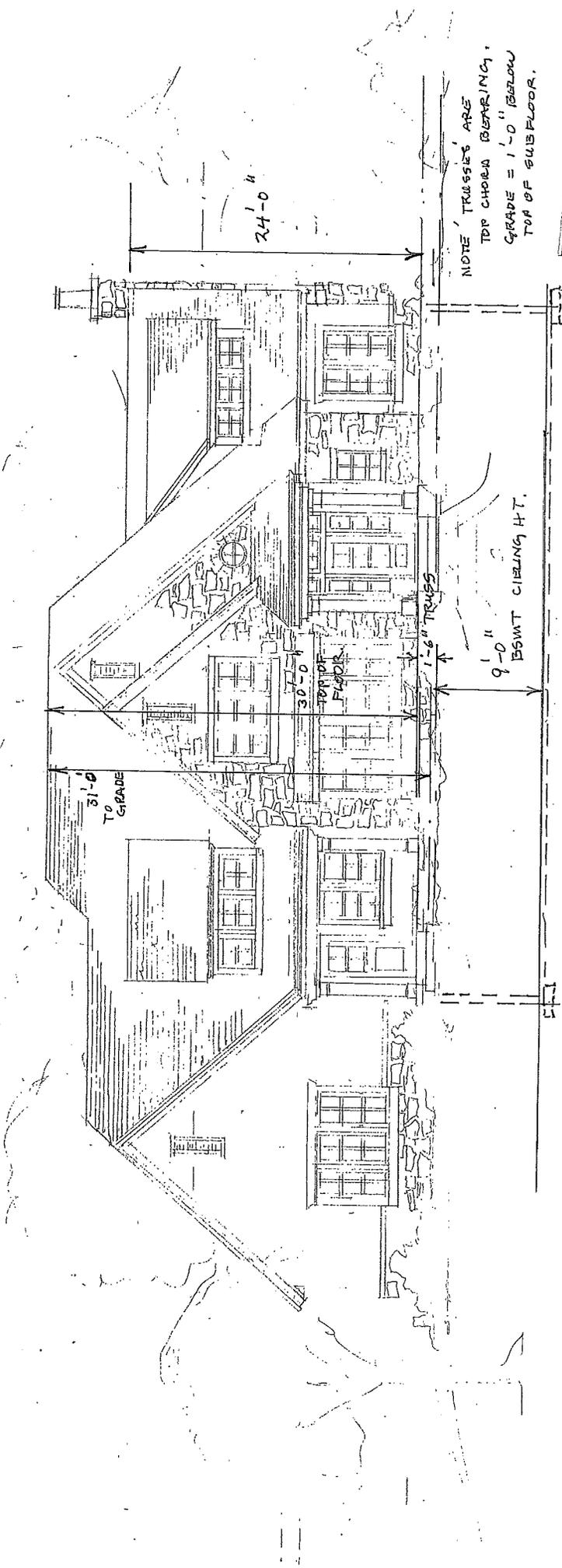
A. 10



C. JANSWORTH 7.12

RECEIVED
WEST'S 2012

A. 11



24'-0"
1" H

31'-0"
TO GRADE

30'-0"
TRUSS
FLOOR

1'-6" TRUSS

9'-0"
BOWT CEILING HT.

NOTE: TRUSSES ARE
TOP CHORD BEARING.
GRADE = 1'-0" BELOW
TOP OF SUBFLOOR.

RECEIVED
JUL 25 1912

A. 12

Scott Busyn

From: Ahsanur Siddique [ahsan@geoenginc.com]
Sent: Tuesday, July 24, 2012 1:51 PM
To: Scott Busyn (scottbusyn@comcast.net)
Subject: Water Level Monitoring, 4710 Golf Terrace, Edina, MN

Scott,

We installed a piezometer at about 20 feet north and 3 feet east of northeast corner of existing house on July 14, 2012 to monitor water level. The surface elevation at this location is about 897.7 feet based to lot survey. On July 20, 2012, we measured water level in the piezometer. Water level was 5.7 feet below the ground surface and which corresponds to elevation 892.0 feet on July, 20 2012. We will take another water level reading by the end of this week to verify any change in water level elevation.

We understand existing house will be demolished and a new house will be constructed at his site. The new house will be a two-story with full basement. The structure will be of wood frame construction supported on foundation walls.

It is our opinion that the lowest floor elevation of the new house should be at least 2 to 3 feet above water level. Based on our water level reading on July 20, 2012, the lowest floor elevation should be at least 894.0 to 895.0 feet.

After final water level reading, we can provide more specific recommendations.

If you have any questions, please feel free to call us.

Thanks,

Ahsanur R Siddique PE
Geo Engineering Consultants Inc
PO Box 21490
Minneapolis MN 55421
ahsan@geoenginc.com email
763.502.9945 Phone
763.502.9946 Fax
612.384.3245 Mobile

=====

Email scanned by PC Tools - No viruses or spyware found.
(Email Guard: 7.0.0.21, Virus/Spyware Database: 6.20200)

<http://www.pctools.com>

=====

7/30/2012

A. 14

GREAT NEIGHBORHOOD HOMES

GREAT LOCATIONS | GREAT DESIGN | GREAT QUALITY

July 23, 2012

To: Cary Teague, Planning Director - City of Edina
From: Scott Busyn - Great Neighborhood Homes
Subject: CUP Application for 4710 Golf Terrace Neighborhood Character Study

We are submitting the attached documentation showing how the new home being proposed at 4710 Golf Terrace will fit the character of the neighborhood in height, mass, and scale.

4710 Golf Terrace is located on the west end of the block overlooking Edina Country Club. As can be seen in attached photos, the homes on Golf Terrace are stately in nature and represent an eclectic collection of homes built in the 40's, 50's, and several recently constructed homes. Many homes styles can be found including cape cod, ranch/rambler, colonial, French provincial, Modern, and American cottage/shingle. The homes are all set far apart on large lots with many mature trees. It is very evident that this is an area of transition with many new homes and remodels in progress.

The proposed home at 4710 Golf Terrace will be a two story home with rooflines that are designed to reduce the mass and scale of the home by having the eave lines come down to the first level ceiling. This gives the home the character of a "story and a half" home that can be found on other homes in the neighborhood. In addition, all four sides of the home are being designed with character details (detailed windows, gables, stone, shed roofs, etc) to avoid any type of "movie screen" façade.

The west and east sides of the home have been designed with a smaller mass and scale than the front elevation (facing Golf Terrace). This will allow for a better blending of the new home with the two adjacent homes. We have also made an effort to avoid blocking the sitelines of the golf course for the adjacent homes.

The proposed home will fit the character of the neighborhood by using quality materials such as cedar shingle siding, stone, detailed window trim and corbels, and divided light windows. In addition, the new home will have a stone chimney, a feature common on older homes in the neighborhood.

Please let me know if you would like to see additional information or feel free to call me anytime at 962-807-8765. Thank you.

SCOTT BUSYN
PHONE 952-807-8765 | SCOTT.BUSYN@COMCAST.NET

RECEIVED
JUL 25 2012
MARGARET BUSYN
PHONE 952-807-8766 | MBUSYN@COMCAST.NET

4615 WOODDALE AVENUE, EDINA, MINNESOTA 55424 | FAX 952-926-1168

MN BUILDERS LICENSE # BC-521688

A.15

A.16

RECEIVED
25 2012

SUBJECT PROPERTY

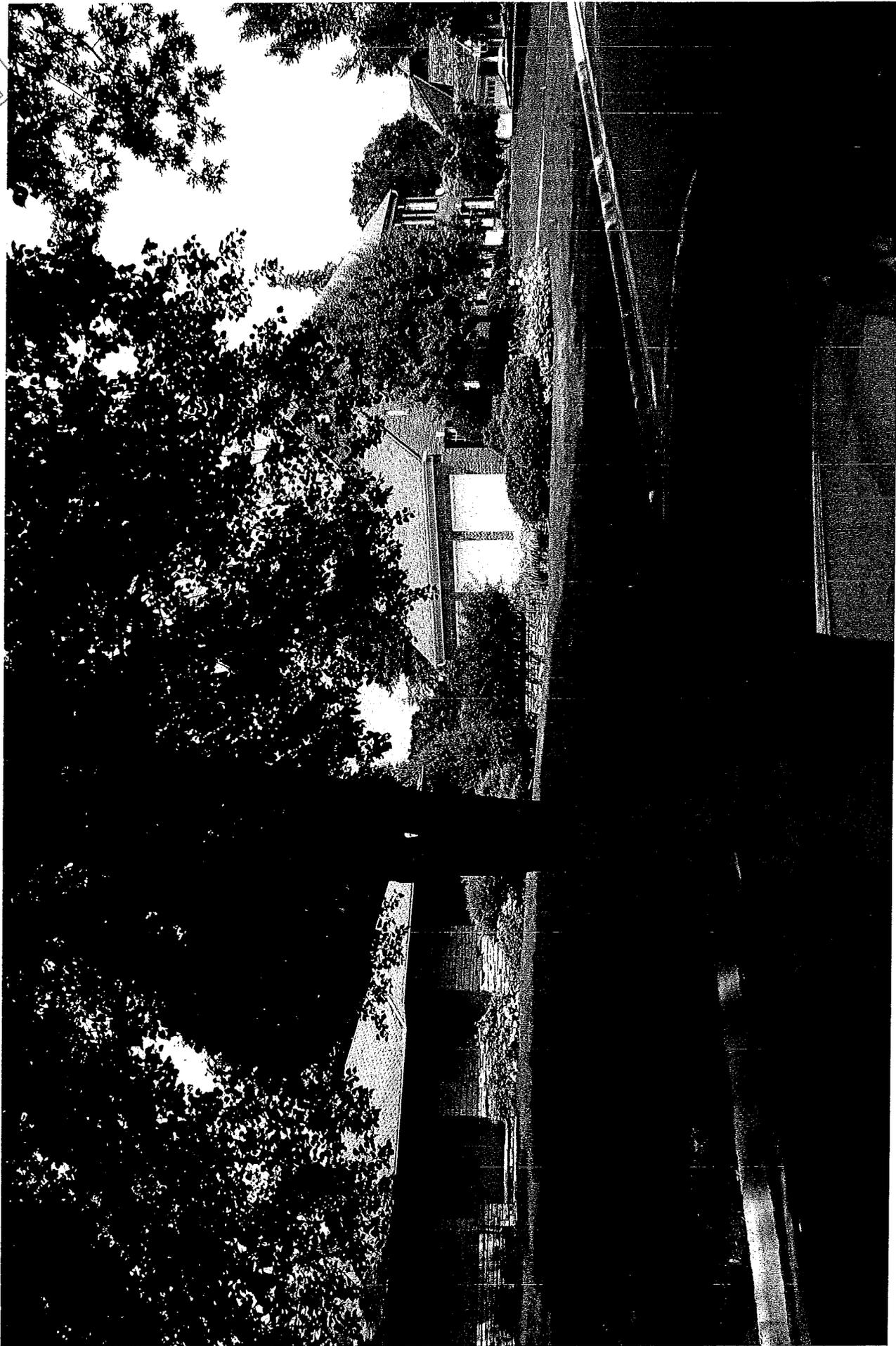


A.16

A.17

RECEIVED
JUL 25 2012

VIEW EAST

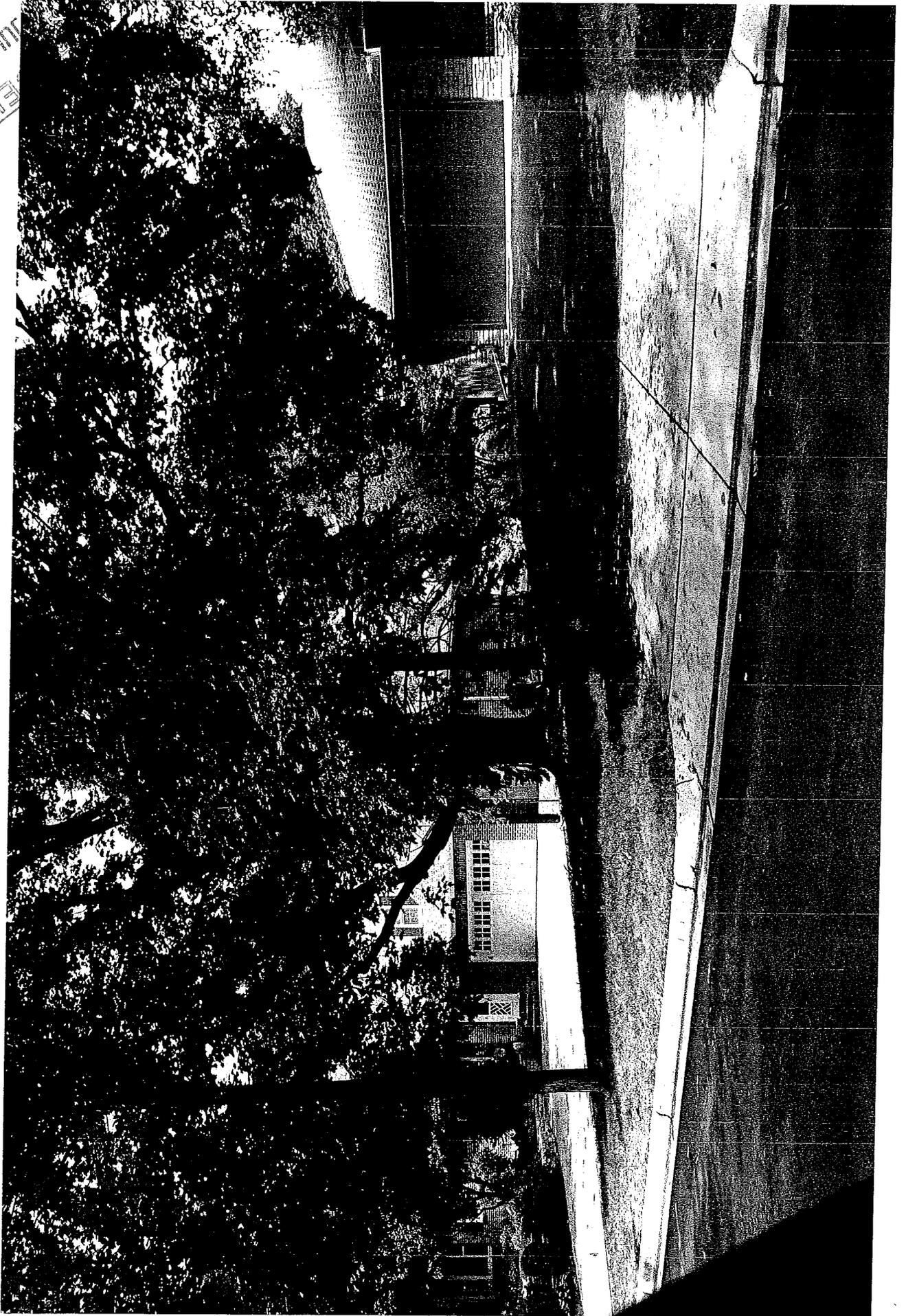


A.17

A.18

RECEIVED
JUL 25 2012

VIEW WEST

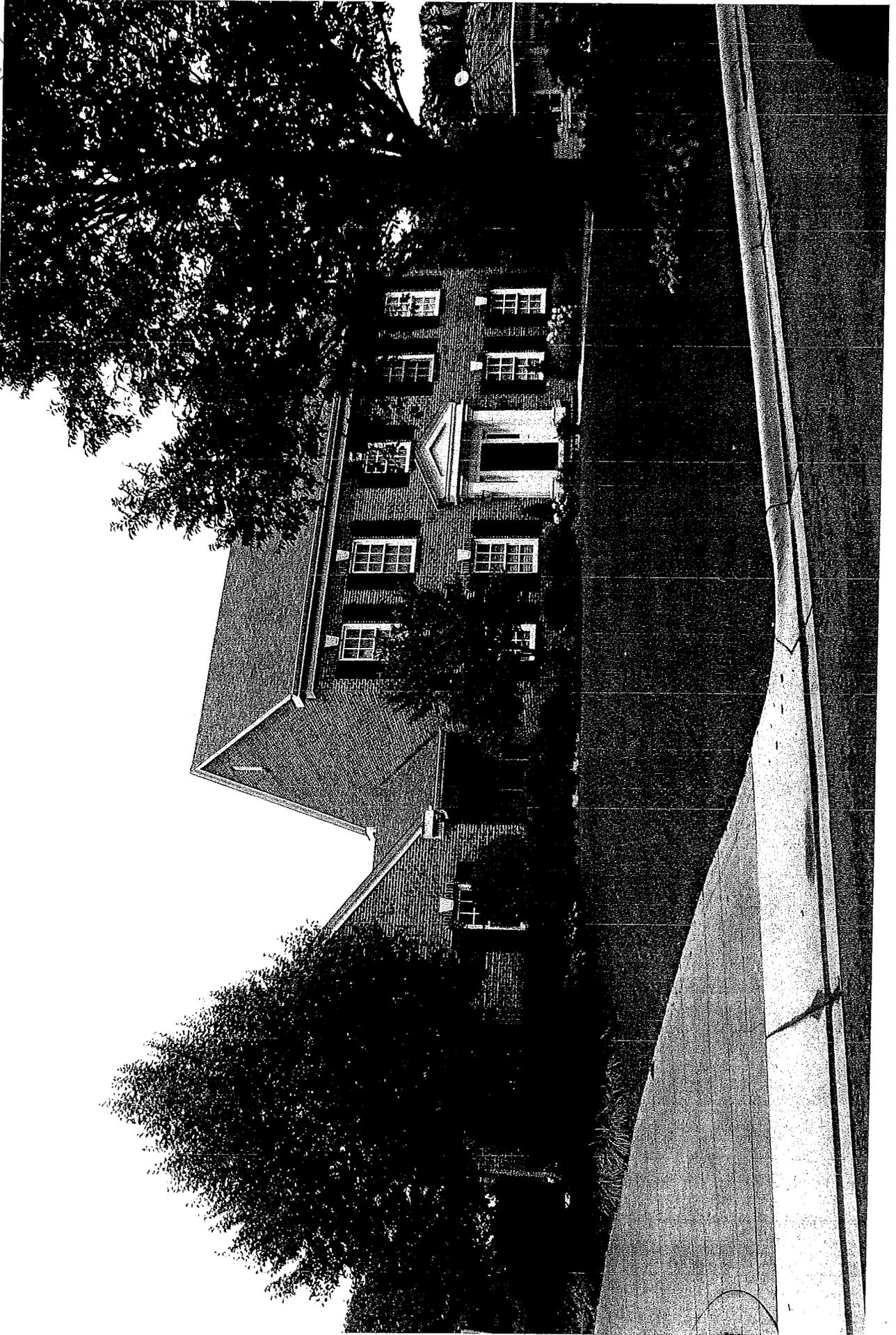


A.18

A.19

RECEIVED
JUL 25 2012

HOUSE. RD EAST

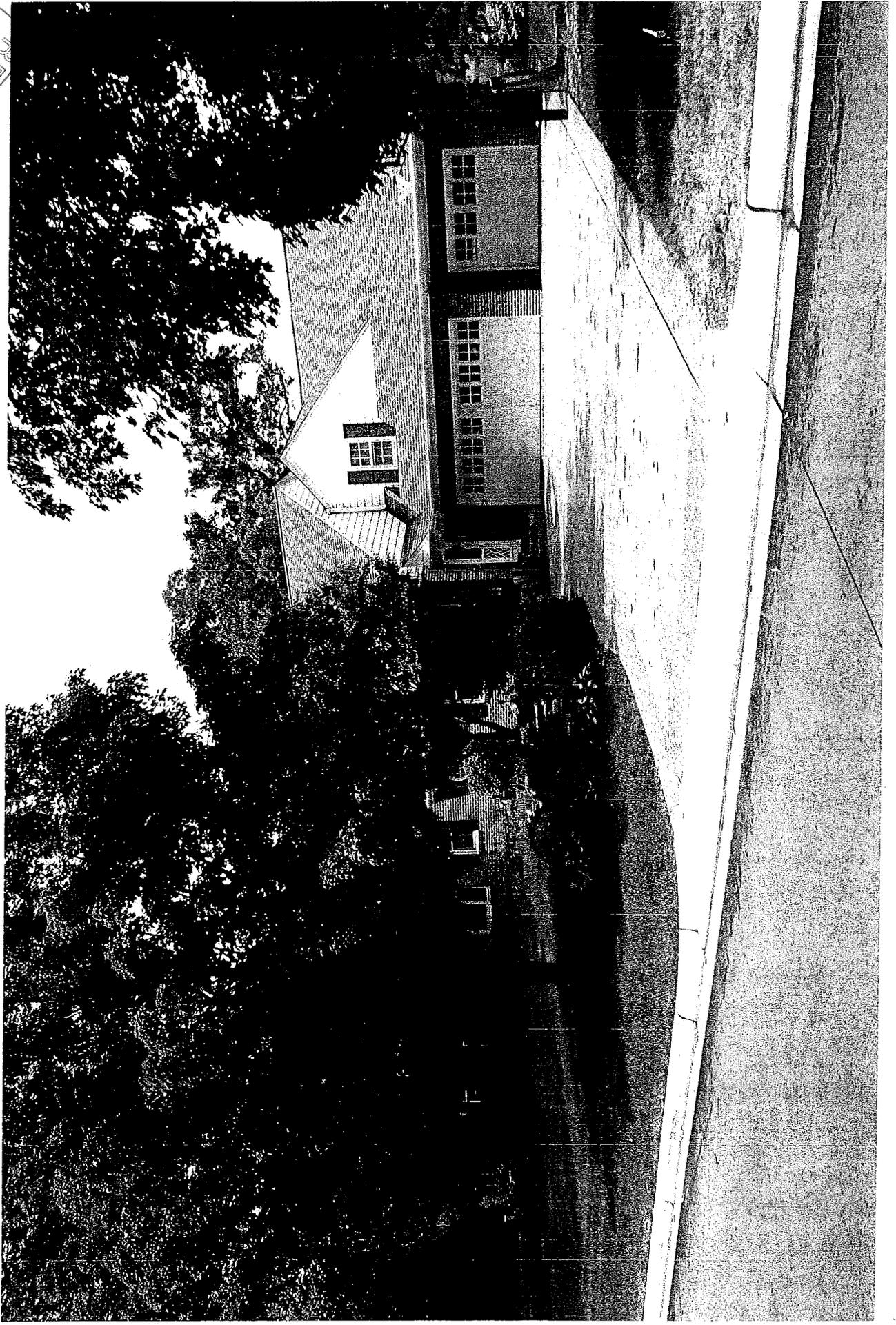


A.19

A.20

RECEIVED
JUN 27 1967

HOUSE TO WEST

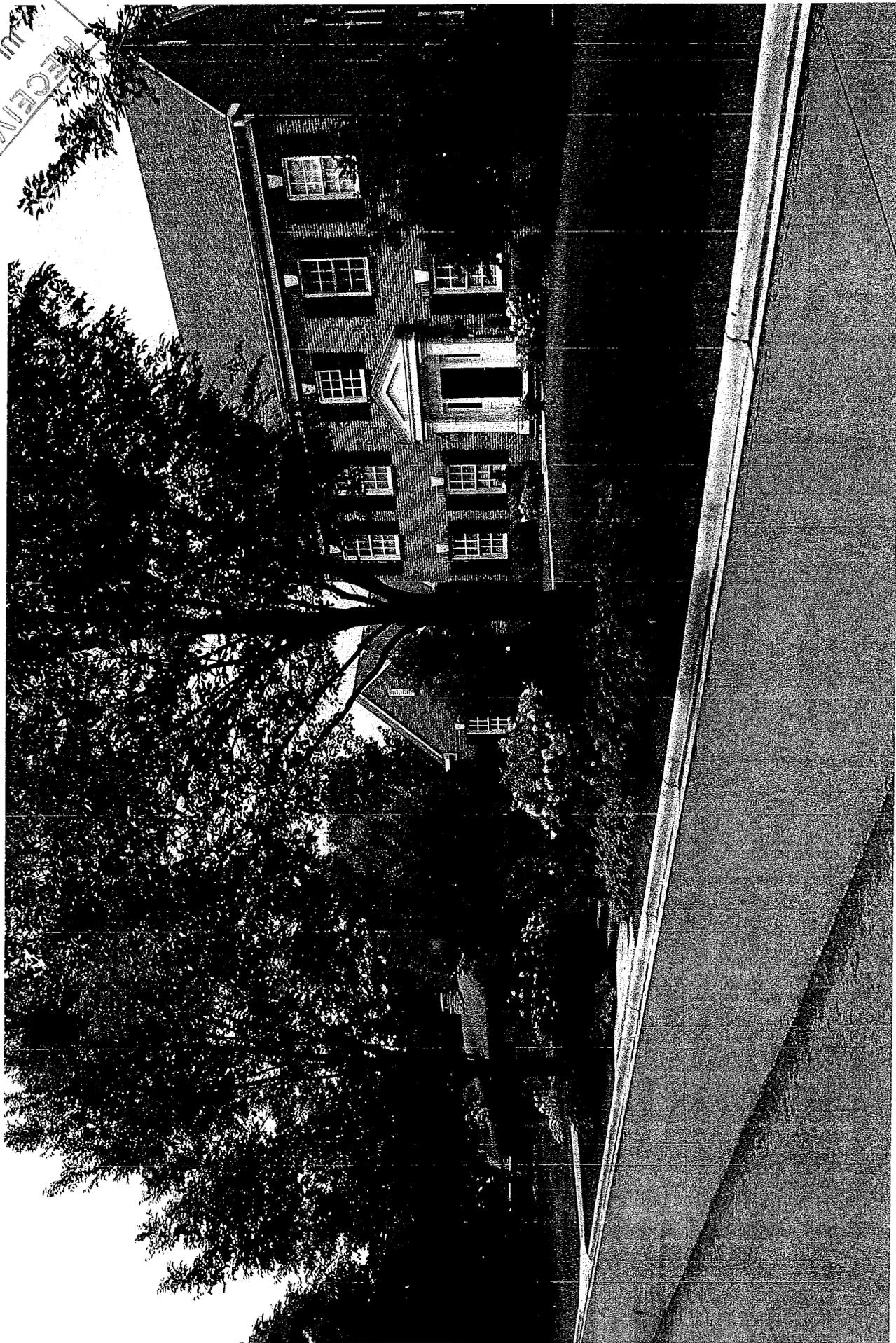


A.20

A.21

RECEIVED
JUL 25 2002

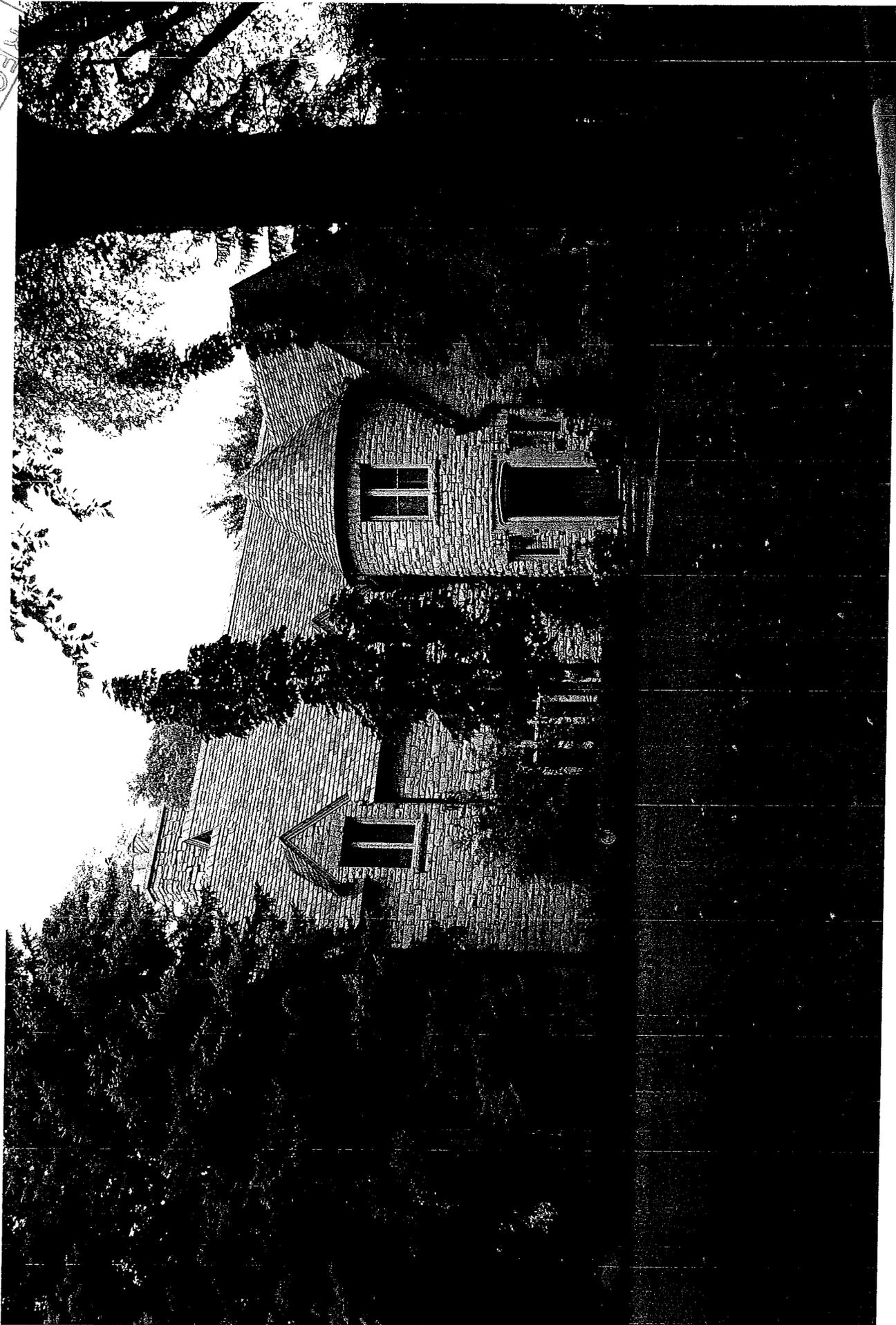
VIEW FROM EAST



A.21

A.22

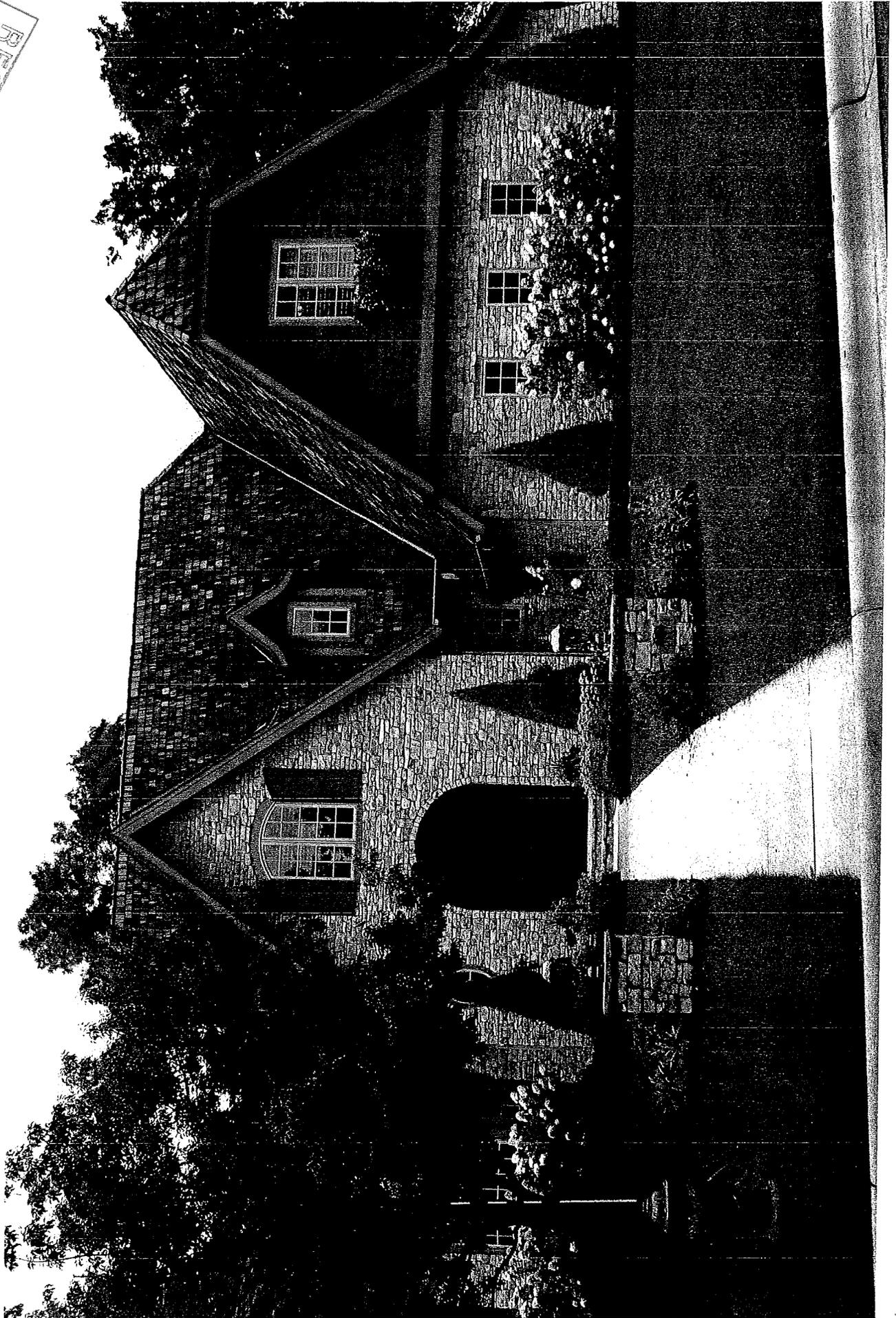
RECEIVED
JUL 25 2012



A.22

A.23

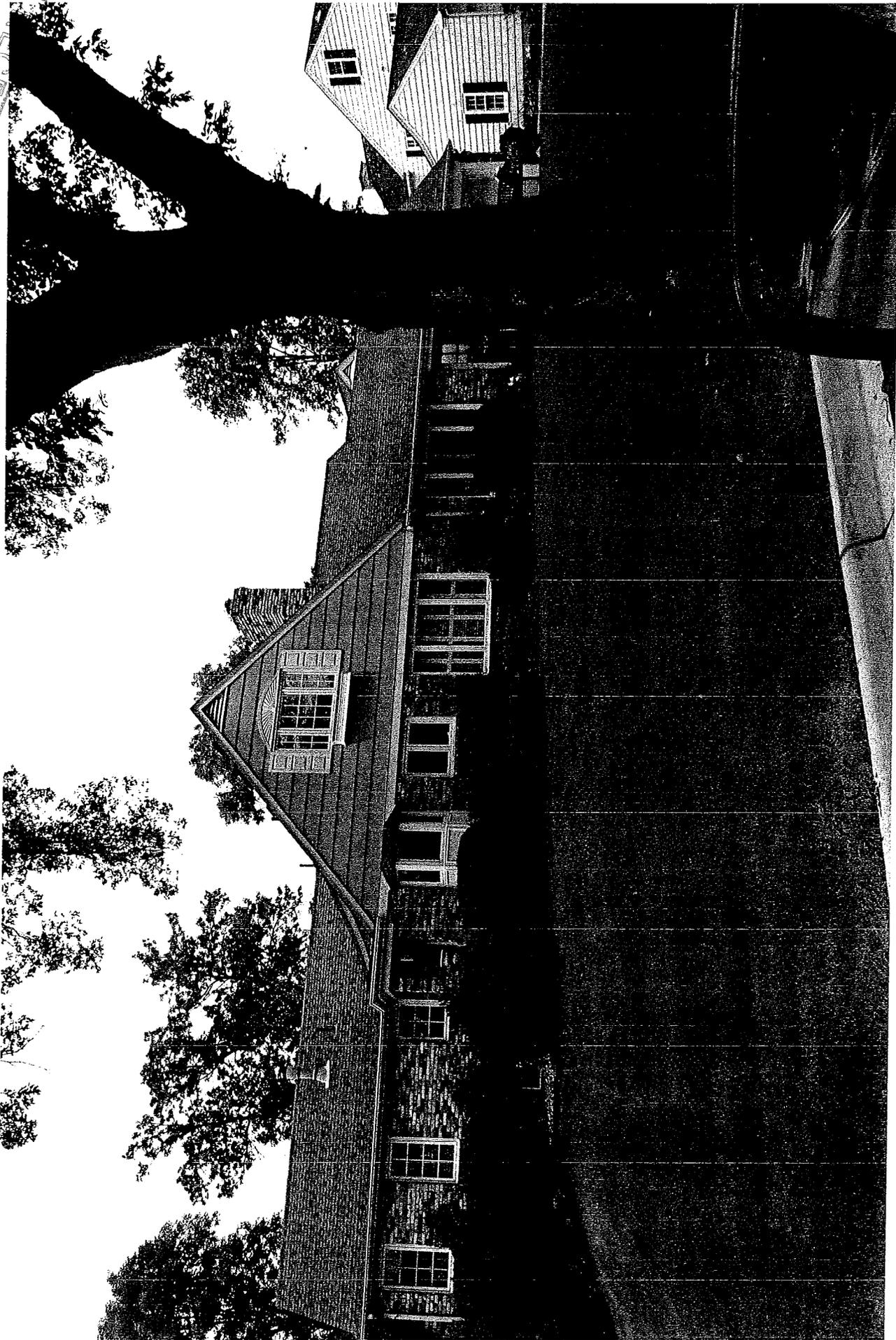
RECEIVED
JUL 25 2012



A.23

A. 24

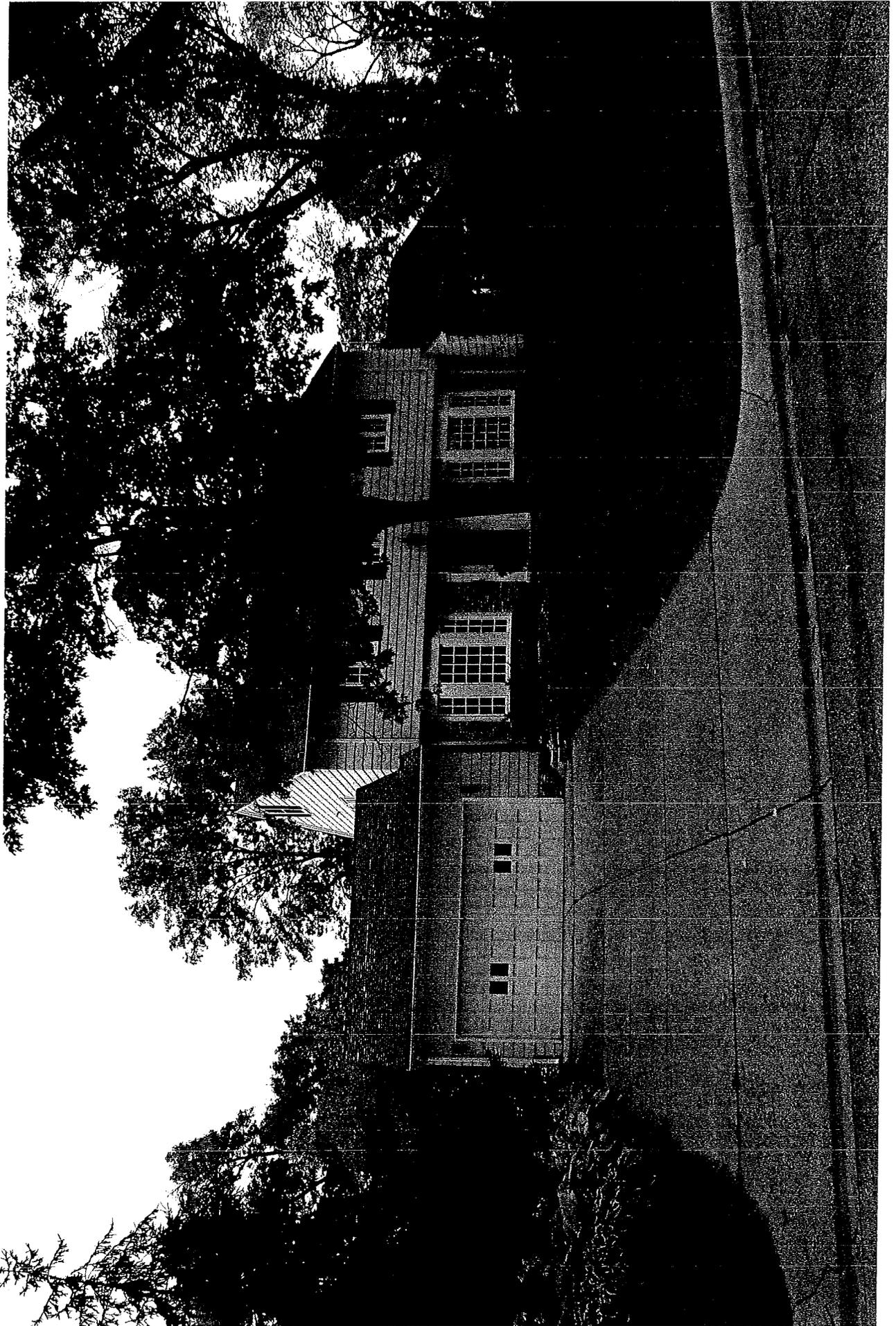
RECEIVED
JUL 25 2012



A. 24

A. 25

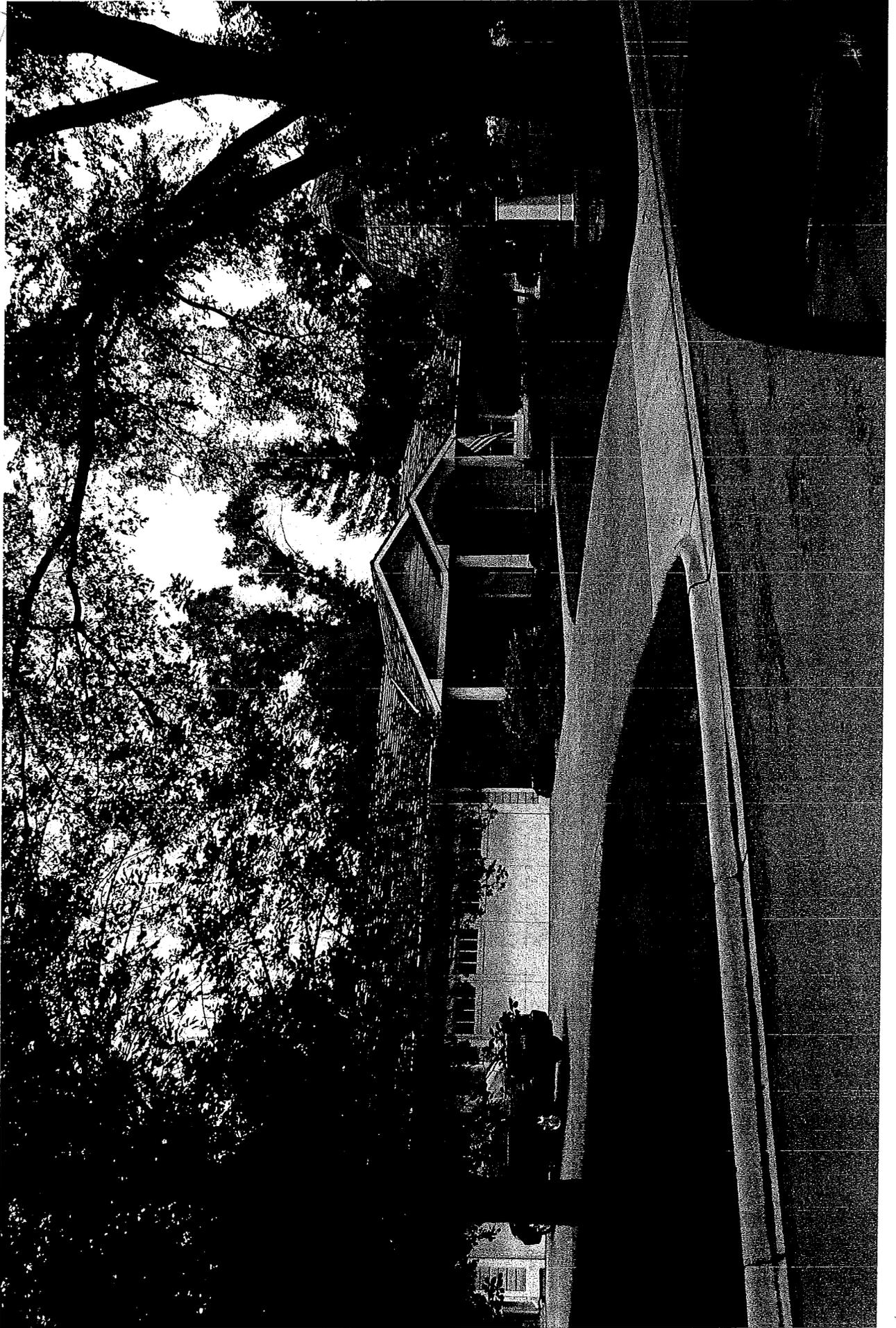
RECEIVED
JUL 25 2012



A. 25

A. 26

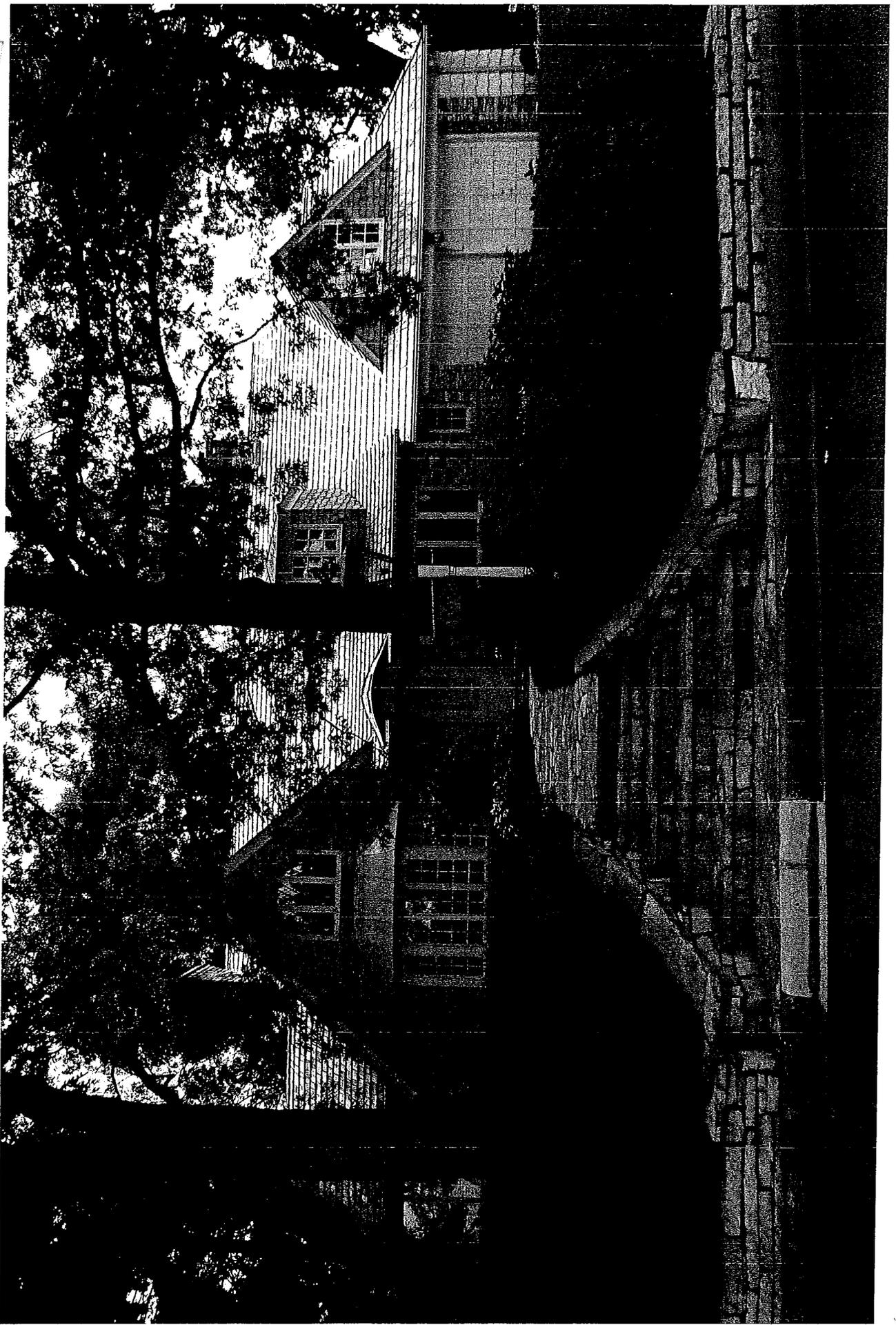
RECEIVED
JUL 25 2012



A. 26

A.27

RECEIVED
APR 25 2012



A.27

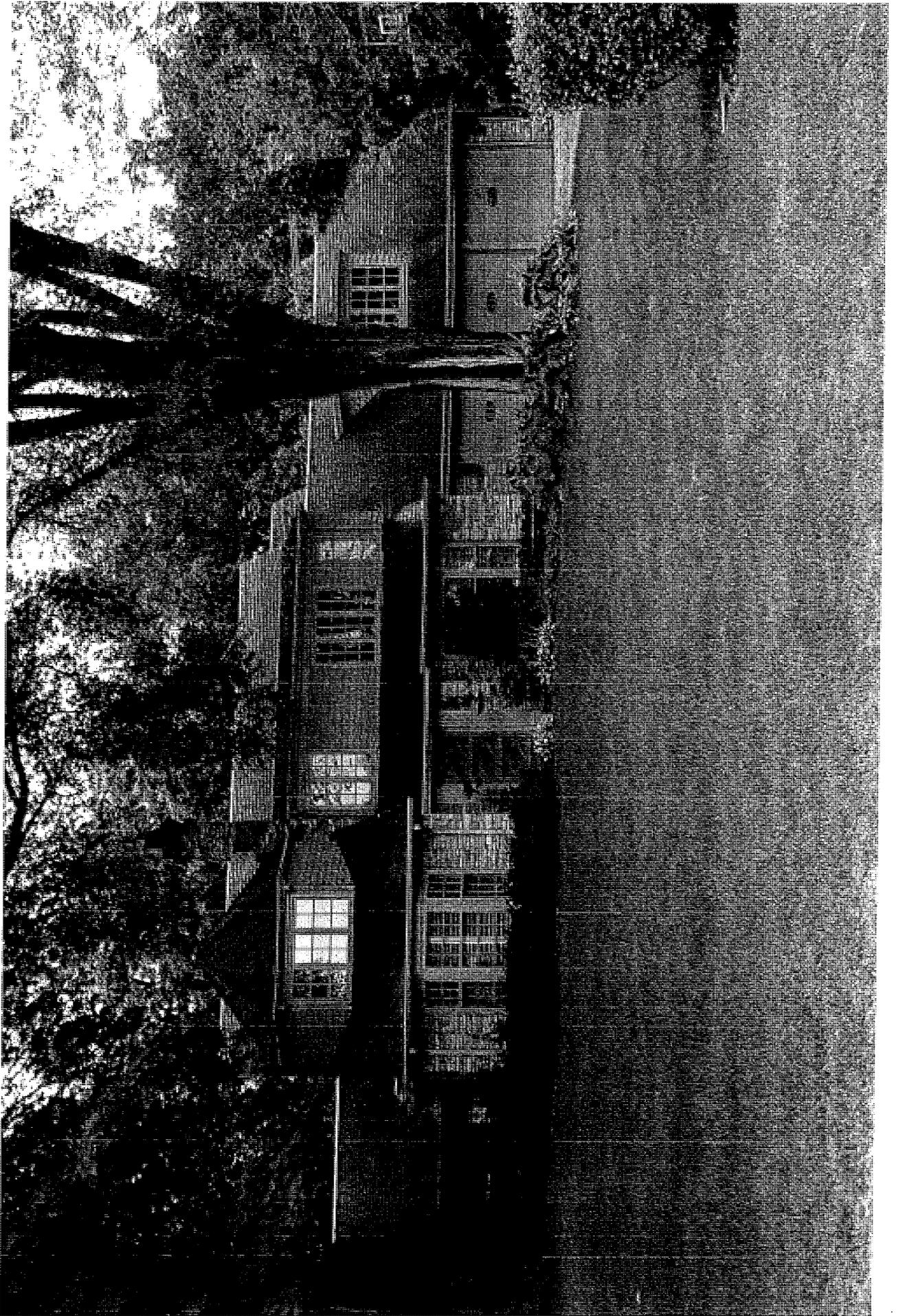
A-28

RECEIVED
JUN 25 2012



A-28

A. 29



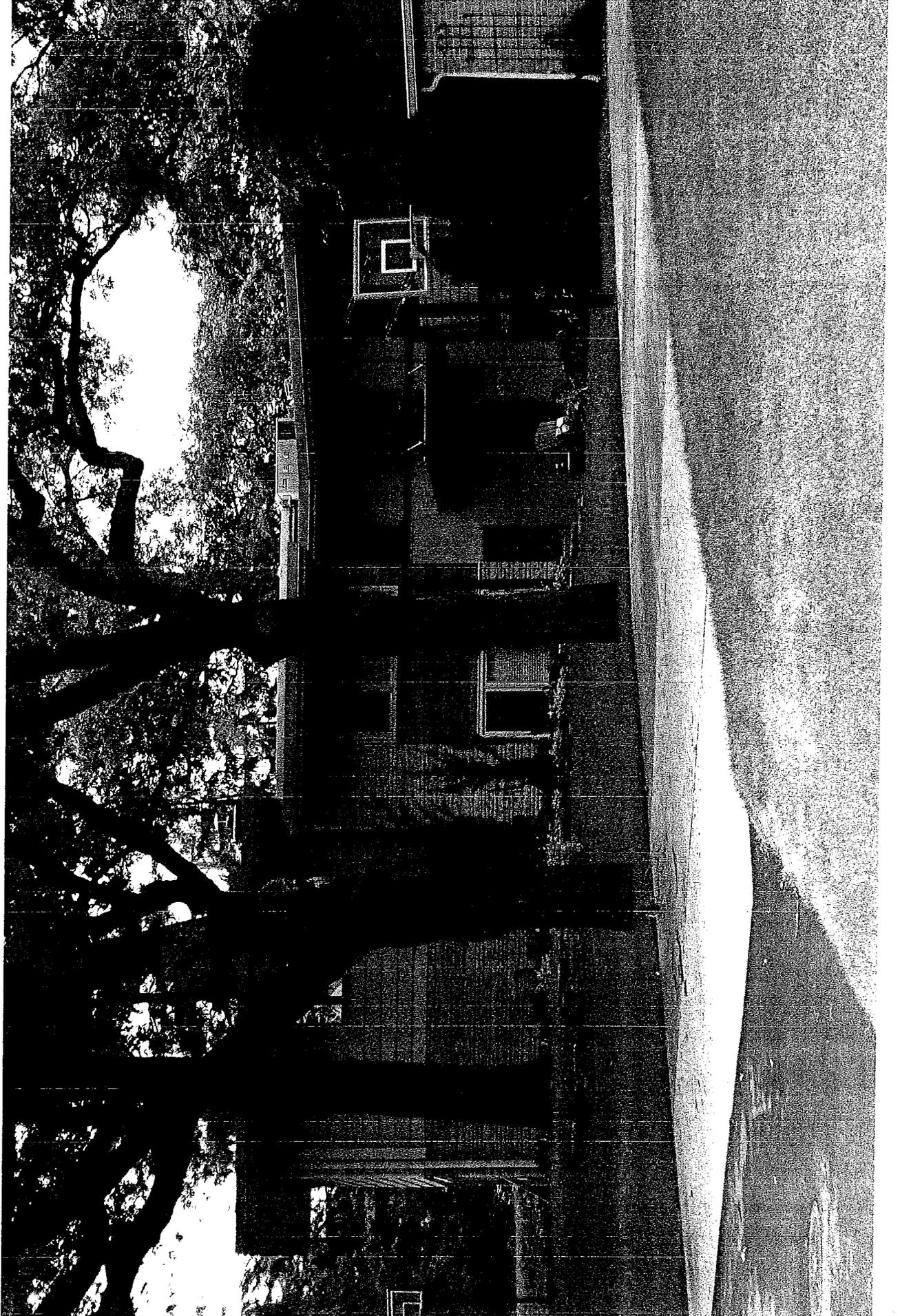
RECEIVED

MAY 25 2012

A. 29

A. 30

RECEIVED
JUN 25 2012



A. 30