

REPORT / RECOMMENDATION



To: MAYOR AND COUNCIL

Agenda Item #: VIII.B.

From: Cary Teague, Community Development Director

Action

Date: February 3, 2013

Discussion

Subject: Sketch Plan Review - 3923 49th Street

Information

Action Requested:

Provide non-binding comments regarding the proposed Sketch Plan.

Information / Background:

The City Council is asked to consider a sketch plan proposal to tear down a single-family home and construct a double dwelling unit at 3923 49th Street. The property is located adjacent to the 50th and France retail area; just north of the former Edina Realty Building site, now owned by the City of Edina, and east of a four story apartment building. (See property location on pages A1–A3 of the Planning Commission Memo.) The applicant would seek a Rezoning to R-2 to allow the use; and several Variances. (See applicant narrative and plans on pages A5-A11 of the Planning Commission Memo.)

Planning Commission Consideration: On January 22, 2014, the Planning Commission considered the sketch plan proposal. (See attached minutes.)

ATTACHMENTS:

- Minutes from the January 22, 2014 Edina Planning Commission meeting
- Planning Commission Memo, January 22, 2014

P.O.
1/22

B. Sketch Plan Review – 3923 West 49th Street, Edina, MN

Planner Teague informed the Commission they are asked to consider a sketch plan proposal to tear down a single-family home and construct a double dwelling unit at 3923 49th Street. The property is located adjacent to the 50th and France retail area; just north of the former Edina Realty Building site, now owned by the City of Edina, and east of a four story apartment building. The applicant would seek a Rezoning to R-2 to allow the use; and several Variances.

Teague explained that the applicant is proposing an energy efficient building that would include rooftop solar panels, a reduction in lumber costs due to framing techniques, and a 5% increase in energy efficiency.

Teague concluded that the proposed zoning to R-2 would be consistent with the R-2 zoning to the north and west. As demonstrated on page A4, there are four sites zoned R-1 on 49th Street West, and thirteen sites zoned R-2. In general, the duplexes on 49th Street West serve as a transition of land uses between the single-family homes to the north, and the commercial area at 50th and France.

Appearing for the Applicant

Mathias Mortenson

Applicant Presentation

Mr. Mortenson addressed the Commission and explained his client is an empty nester that is ready to move out of the house and move into a home that includes self-sufficient first floor living to serve their needs as they age. Mortenson also reported an elevator would be added to allow for access from the below grade parking to the upper floors.

Continuing, with graphics Mortenson pointed out the sustainable elements of the project to include rooftop solar panels, advanced framing techniques, high efficiency glazing, permeable hardscaping, materials with recycled content, low-flow fixtures among others.

Concluding, Mortenson said their goal is to be very considerate of the area and built a two-story double home with common entry and underground garage. Mortenson stood for questions.

Comments

Chair Staunton asked Mr. Mortenson how access to the garage is gained. Mr. Mortenson explained that access would be from the front street. Each unit would have its own curb cut, driveway and garage access.

Chair Staunton noted that the subject site abuts a commercial area and the City's public ramp and asked about the potential for future expansion or redevelopment. Planner Teague responded there is potential for ramp expansion and the City has also discussed adding an additional level; however, an Amendment to the Comprehensive Plan would be needed to proceed.

Mr. Mortenson said that the topography works in their favor adding he understands if anything is proposed for change on the abutting properties they would be made aware of those changes. Chair Staunton said his one concern was if an additional level was added to the ramp it may block sun from the solar panels. Continuing, Staunton stated he certainly understands the rezoning request pointing out that R-2 has been a traditional buffer between commercial and R-1 residential.

Commissioner Carr commented that she understands the request to rezone; however, has a concern with the driveway and the height of the retaining walls needed for garage access. She asked Mr. Mortenson if he knows the height of the retaining walls and what would be needed to support the driveway and access to the garages. Mr. Mortenson responded that he believes the retaining walls could be as high as 9 1/2-feet with two curb cuts on the lot to access the garages. Continuing, Commissioner Carr noted that the curb cuts on both sides of the units could create some safety issues especially because of the high retaining walls. She said she would hate to see someone fall off those walls. Mr. Mortenson responded that landscaping would be added along with a guard rail to ensure safety. Mortenson said he wants the feel and look of the building to be residential and softened with landscaping and other elements.

Commissioner Potts suggested that the applicant meet with City staff to discuss drainage measures between now and formal application. Potts said at first glance the proposal makes sense with regard to the rezoning; however, more specifics are needed especially on drainage to ensure a good project. Mr. Mortenson said the design team will consider ways to create more permeable driveways and patio areas and implement other measures to address drainage. Potts further suggested that at the time of application that all calculations be correct on lot coverage, setback, etc.

Commissioner Forrest acknowledged the sustainable measures implemented for the project; however, pointed out a tear down is harder on the environment than remodel. Continuing, Forrest said she is also concerned with the variances and the lack of outdoor space. Forrest questioned why two units. Mr. Mortenson responded that the client could look at the rationale of a second unit to provide a financial benefit or the client may wish to combine families. Mortenson stated that the request to rezone made sense given the apartment building to the east and multiple double dwelling units on the same block. Mortenson did acknowledge that

the rezoning request would trigger the need for variances; reiterating they felt rezoning to a double made sense.

Commissioner Carr stated she agrees the rezoning makes sense; it's a good land use choice; however, she said she continues to be concerned with the two driveways. Carr said it's not only a safety issue for her but an aesthetic issue. She suggested revisiting this concept.

Commissioner Schroeder asked Planner Teague how this area is guided in the Comprehensive Plan. Planner Teague responded the Comp Plan guides this area as low density attached residential. Schroeder commented that it appears the rezoning moves this parcel more into compliance with the Comprehensive Plan. Continuing, Schroeder said he can support the rezoning; pointing out this parcel is also adjacent to an apartment building and other multiples. Schroeder said his concern is with guest parking and common areas, adding that may need to be revisited. Mr. Mortenson said in this area guest parking is accommodated on the street or in the driveways. He also noted the near public ramp parking and the adjacent apartment building has a guest lot.

Commissioner Carr complimented Mr. Mortenson on his interest in developing a sustainable building.

Commissioner Forrest stated she really likes the concept of the shared front door and the flexibility this design provides for residents to "age in place".

Commissioner Kilberg said he applauds the project; however would like to see a more enhanced street view. Kilberg said in his opinion character needs to be added to the structure to give it a more residential feel. Landscaping should also be developed.

Chair Staunton commented that the proposed new home(s) sits on a hill and asked Mortenson if he knows how the height of the old and new buildings compares. Mr. Mortenson responded that he believes the new structure would be higher than what exists today; possibly by six-feet.

Chair Staunton said in summary he believes the request to rezone the subject site and build a double dwelling unit makes sense; however, there are concerns with drainage, building design, profile and building height that need to be further addressed and clarified.

Planner Teague informed Mr. Mortenson that the Sketch Plan will be forwarded to the City Council for their feedback before formal application is made.

Chair Staunton suggested to Mr. Mortenson that he provide the City Council with a narrative explaining their intent and final goal.

City Hall • Phone 952-927-8861
 Fax 952-826-0389 • www.CityofEdina.com



Date: January 22, 2014

To: Planning Commission

From: Cary Teague, Community Development Director

Re: Sketch Plan Review – 3923 49th Street

The Planning Commission is asked to consider a sketch plan proposal to tear down a single-family home and construct a double dwelling unit at 3923 49th Street. The property is located adjacent to the 50th and France retail area; just north of the former Edina Realty Building site, now owned by the City of Edina, and east of a four story apartment building. (See property location on pages A1–A3.) The applicant would seek a Rezoning to R-2 to allow the use; and several Variances. (See applicant narrative and plans on pages A5-A11.)

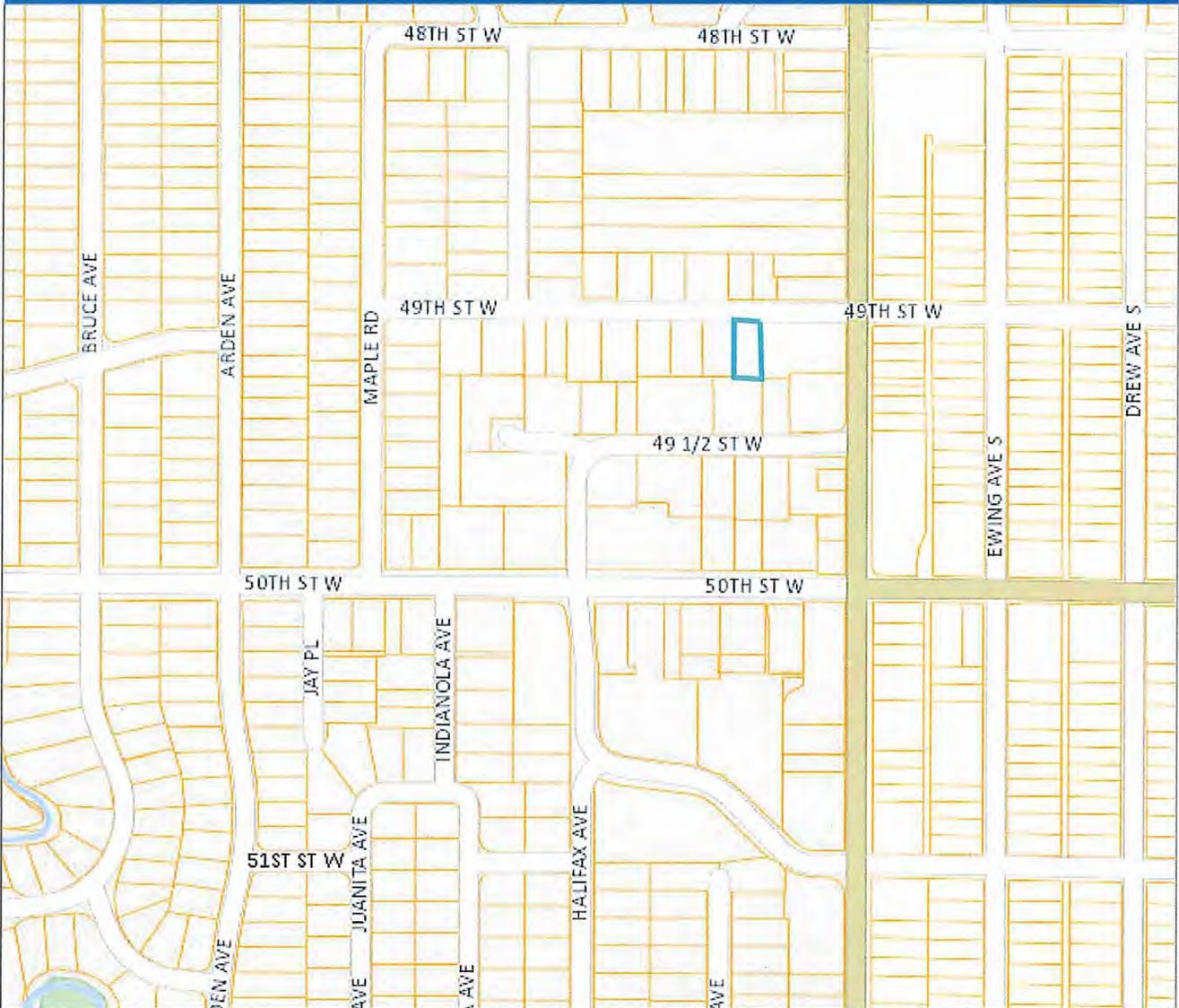
The compliance table below demonstrates how the proposed new building would comply with the current zoning of PCD-3:

	City Standard R-2	Proposed
<u>Building Setbacks</u>		
Front	30 feet	30 feet
Side	10 feet	10 feet
Side	10 feet	10 feet
Rear	35 feet	25+ feet
Building Coverage	25%	30%*
Lot Width	90 feet	65 feet*
Lot Area	15,000 s.f.	8,816 s.f.*

*** Variance Required**

The applicant is proposing an energy efficient building that would include rooftop solar panels, a reduction in lumber costs due to framing techniques, and a 5% increase in energy efficiency.

The proposed zoning to R-2 would be consistent with the R-2 zoning to the north and west. As demonstrated on page A4, there are four sites zoned R-1 on 49th Street West, and thirteen sites zoned R-2. In general, the duplexes on 49th Street West serve as a transition of land uses between the single-family homes to the north, and the commercial area at 50th and France.



Parcel ID: 18-028-24-14-0027

Owner Name: Baker Bean Llc

Parcel Address: 3923 49Th St W
Edina, MN 55424

Property Type: Residential

Homestead:

Parcel Area: 0.21 acres
9,086 sq ft

A-T-B:

Market Total:

Tax Total:

Sale Price:

Sale Date:

Sale Code:

Map Scale: 1" ≈ 400 ft.

Print Date: 1/14/2014



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A



Parcel ID: 18-028-24-14-0027

Owner Name:

Parcel Address: 3923 49Th St W
Edina, MN 55424

Property Type: Residential

Home-stead:

Parcel Area: 0.21 acres
9,086 sq ft

A-T-B:

Market Total:

Tax Total:

Sale Price:

Sale Date:

Sale Code:

Map Scale: 1" ≈ 200 ft.

Print Date: 1/14/2014

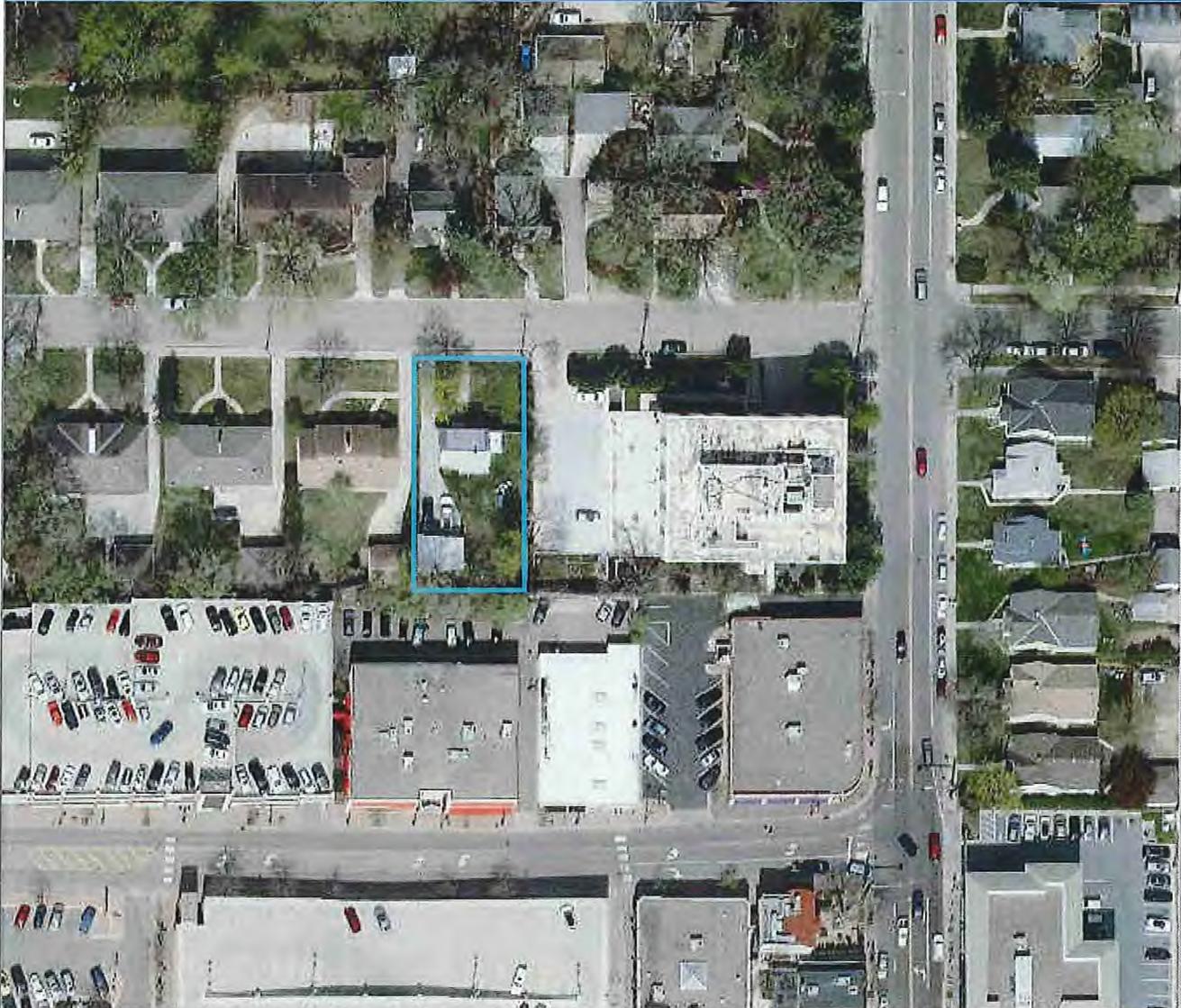


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A2



Parcel ID: 18-028-24-14-0027

Owner Name:

Parcel Address: 3923 49Th St W
Edina, MN 55424

Property Type: Residential

**Home-
stead:**

Parcel Area: 0.21 acres
9,086 sq ft

A-T-B:

Market Total:

Tax Total:

Sale Price:

Sale Date:

Sale Code:

Map Scale: 1" ≈ 100 ft.

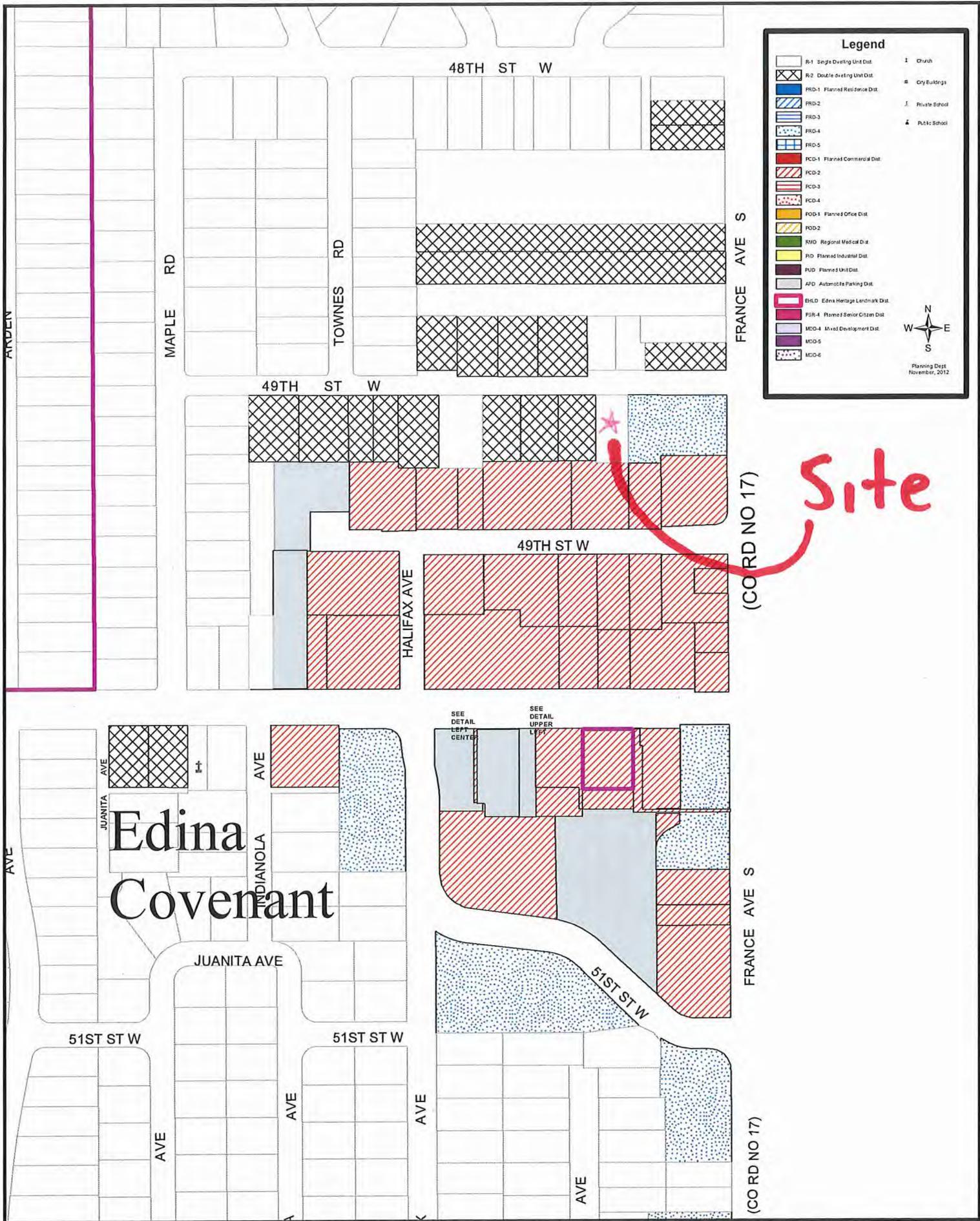
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Legend

[Symbol]	R-1 Single Dwelling Unit Dist.	[Symbol]	Church
[Symbol]	R-2 Double Dwelling Unit Dist.	[Symbol]	City Buildings
[Symbol]	FRD-1 Planned Residence Dist.	[Symbol]	Private School
[Symbol]	FRD-2	[Symbol]	Public School
[Symbol]	FRD-3		
[Symbol]	FRD-4		
[Symbol]	FRD-5		
[Symbol]	PCD-1 Planned Commercial Dist.		
[Symbol]	PCD-2		
[Symbol]	PCD-3		
[Symbol]	PCD-4		
[Symbol]	POD-1 Planned Office Dist.		
[Symbol]	POD-2		
[Symbol]	RMD Regional Medical Dist.		
[Symbol]	RI Planned Industrial Dist.		
[Symbol]	PUD Planned Unit Dist.		
[Symbol]	APD Automobile Parking Dist.		
[Symbol]	BLD Edina Heritage Landmark Dist.		
[Symbol]	FSR-4 Planned Senior Citizen Dist.		
[Symbol]	MCD-4 Mixed Development Dist.		
[Symbol]	MCD-5		
[Symbol]	MCD-6		

N
 W —+— E
 S

Planning Dept
November, 2012

Site

(CORD NO 17)

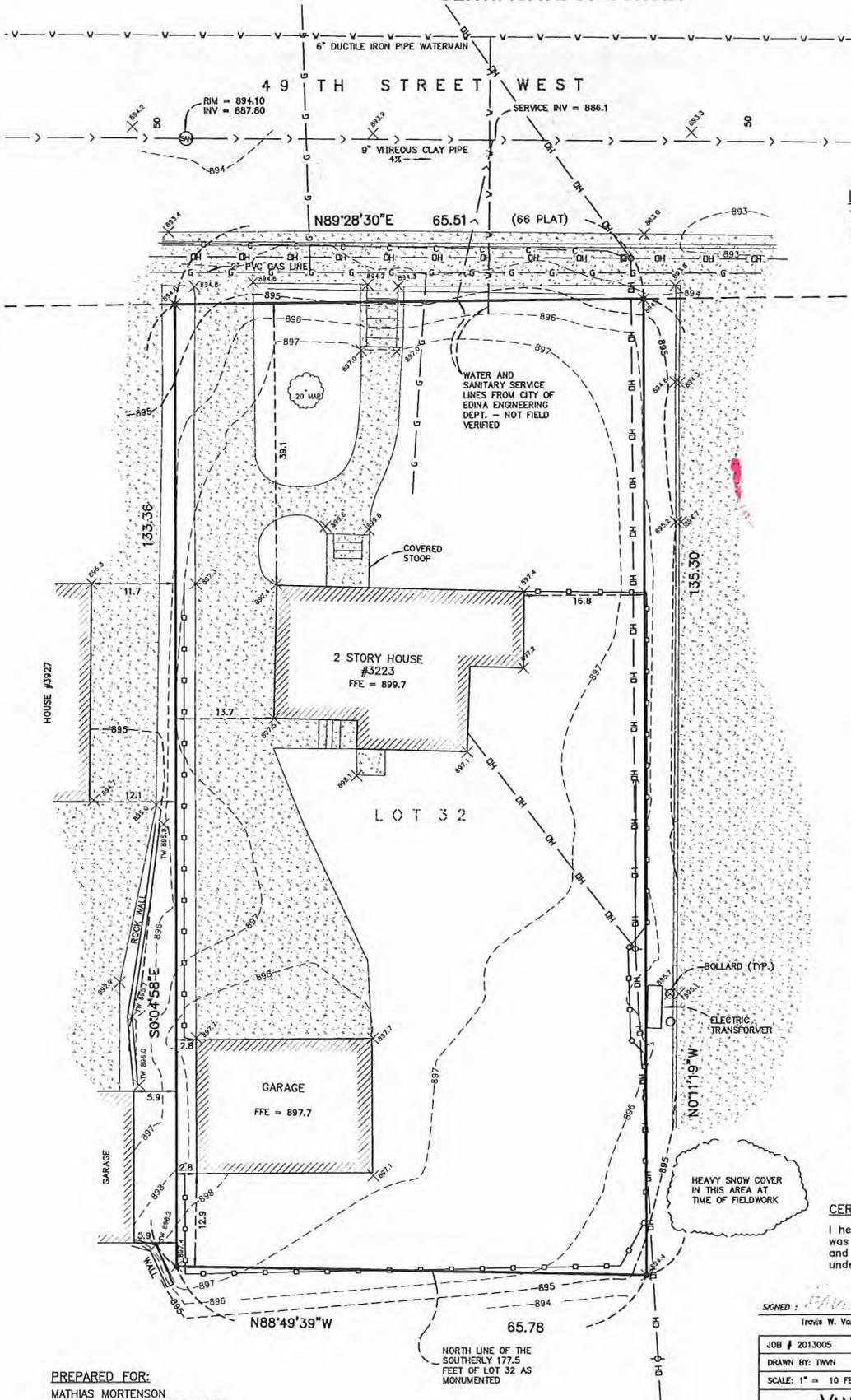
FRANCE AVE S

(CORD NO 17)

Edina
Covenant



CERTIFICATE OF SURVEY



LEGAL DESCRIPTION:
 THAT PART OF LOT 32, AUDITOR'S SUBDIVISION NO. 172, HENNEPIN COUNTY, MINNESOTA LYING NORTH OF THE SOUTHERLY 177.5 FEET THEREOF.

- LEGEND:**
- FOUND IRON MONUMENT (AS NOTED)
 - ⊕ POWER POLE (WITH GUY ANCHOR)
 - COMMUNICATIONS PEDESTAL
 - ⊙ SANITARY SEWER MANHOLE
 - ⊙ DECIDUOUS TREE (SIZE IN INCHES)
 - OH — OVERHEAD UTILITY LINE
 - W — WATERMAIN
 - S — SANITARY SEWER LINE
 - G — NATURAL GAS LINE
 - C — UNDERGROUND COMMUNICATION LINE
 - W — WOOD FENCE
 - ▨ CONCRETE SURFACE
 - ▨ BITUMINOUS SURFACE

- NOTES:**
- 1) THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE INSURANCE COMMITMENT.
 - 2) ADDRESS OF THE SUBJECT PROPERTY: 3923 49TH STREET WEST, EDNA, MN 55410 P.I.D.:18-028-24-14-0027
 - 3) PARCEL AREA: 8,816 SQ. FT.
 - 4) BEARING BASIS IS ASSUMED.
 - 5) DATE OF FIELDWORK: 2-11-2013
 - 6) BENCHMARK: TOP NUT HYDRANT AT SW CORNER OF FRANCE AVE AND 49TH STREET WEST. ELEVATION = 887.72 (NGVD)

HARDCOVER CALCULATIONS:
 HOUSE: 642 SQ. FT.
 GARAGE: 458 SQ. FT.
 CONCRETE: 1,704 SQ. FT.
 TOTAL HARDCOVER: 2,802 SQ. FT OR 31.8%

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

SIGNED: *Travis W. Van Neste*
 Travis W. Van Neste, Minnesota Professional Surveyor #44109
 Michigan Professional Surveyor #46695

JOB # 2013005	ISSUED: 2-21-2013
DRAWN BY: TWMH	REV:
SCALE: 1" = 10 FEET	

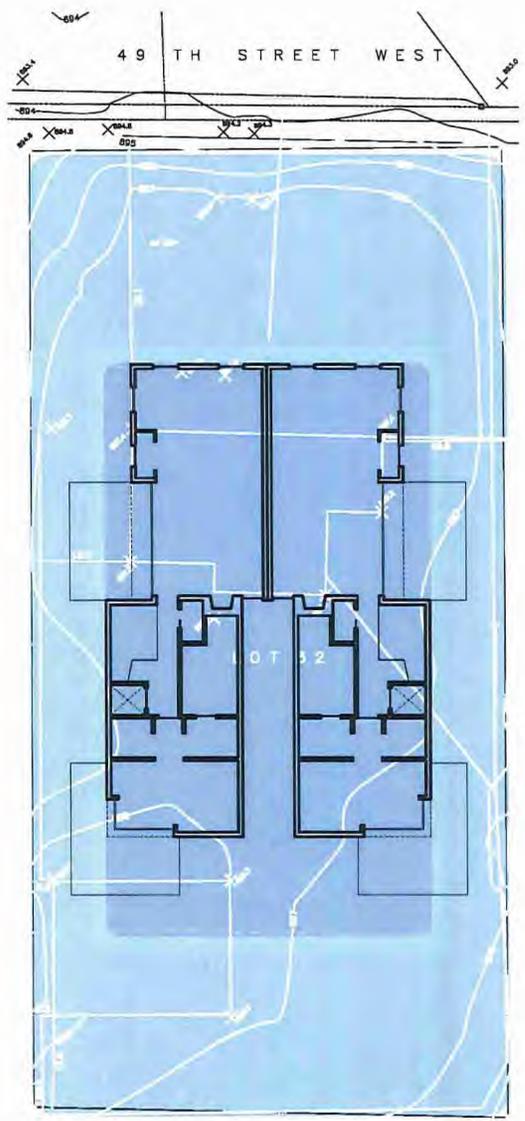
VAN NESTE SURVEYING
 PROFESSIONAL SURVEYING SERVICES
 85 WILDHURST ROAD, EXCELSIOR, MN 55331
 PHONE (952) 686-3055 TOLL-FREE FAX (866) 473-0120
 WWW.VANNESTESURVEYING.COM

VNS
SHEET 1 OF 1

PREPARED FOR:
 MATHIAS MORTENSON
 2429 SHERIDAN AVENUE SOUTH
 MINNEAPOLIS, MN 55405

NORTH LINE OF THE SOUTHERLY 177.5 FEET OF LOT 32 AS MONUMENTED

A5



PROJECT INTRODUCTION

The proposed project is a new 2-story double dwelling unit on 49th Street. The location is one block north of 50th and France on a street that predominantly consists of double dwelling units. The lot is currently zoned R-1, thus requiring a re-zoning to R-2. If such a re-zoning is approved, variances will be required to accommodate three ensuing conditions. These include:

1. Minimum Lot Width – existing = 65.5'; required = 90'
2. Minimum Lot Area – existing = 8,816 SF; required = 15,000 SF
3. Maximum Building Coverage – existing = 30%; required = 25%

SUSTAINABILITY

The project aims to achieve the highest standard of sustainability. It will incorporate rooftop solar panels that will supply the entire electrical needs for both units. The building will also employ advanced framing techniques to achieve a 25% reduction in lumber consumption and 5% increase in energy efficiency. Other more conventional sustainability measures will include high efficiency glazing, permeable hardscaping, materials with recycled content, low-flow fixtures, among others.

AC

ACCESSIBILITY

The owner is elderly and plans to move into one of the units with her husband. Their wish has always been to develop a project that could serve the needs of an aging couple. Towards that end, all basic needs are located on the first floor including master bedroom, full bath, kitchen and laundry. An elevator also allows for access from the below-grade parking to the upper floors.

RE-ZONING AND VARIANCE REQUEST

1. **Relieve practical difficulties in complying with the zoning ordinance that the use is reasonable**
 - a. **The property in question cannot be put to a reasonable use as allowed by the ordinance:** The most reasonable use for the property in question is as a double dwelling unit.
 - i. The predominant use of properties in the neighborhood are as double dwellings. The lot at 3923 is one of only four lots fronting the street that are zoned R-1. The remaining eleven lots are zoned R-2, constituting almost three-quarters of the block. Additionally, one corner lot at France Ave. serves as a twelfth R-2 lot, while the other corner lot is zoned PRD-4 and hosts a four-story, x-unit apartment building. Thus, the block is substantially comprised of properties that support higher densities than a single-family dwelling unit.
 - b. **The plight of the petitioner is due to circumstances unique to his/her property which were not created by the petitioner:**
 - i. The 3923 property is unique as one of the few remaining single-family lots in the neighborhood. And although it would technically be non-conforming as an R-2 property (it would not meet the minimum lot width or the minimum lot area requirements and the maximum building coverage), it would not be unique as a non-conforming R-2 parcel. All the existing double dwelling units on the block are also non-conforming in one way or another. Of the 11 R-2 lots, all have areas less than the required 15,000 SF, and six have lot widths less than 90 feet.
 - ii. The property in question is also unique in that it's area is such that the maximum allowable single family structure as an R-1 would be greater than that of a double dwelling unit as an R-2 (Sec. 36-438 allows for 30% building coverage on R-1 lots under 9,000 SF. Sec 36-466 allows for 25% building coverage on all R-2 lots). If the new structure were to adhere to the 25% restriction it would result in the smallest double dwelling unit in the area. We petition that the allowable building coverage for this property be increased to an amount equivalent to other double dwelling units on the block to both eliminate this odd disparity and to allow for a reasonably sized double dwelling unit.
 - c. **The variances, if granted, will not alter the essential character of the property or it's surroundings.:** The property will still consist of a two-story gabled-structure with massing and architecture similar to both the existing house and to neighboring double dwelling units. Additionally, it will adhere to the guidelines stipulated in the Comprehensive Plan for Low Density Design, ch. 4, 4-42 to 4-46.
2. **Correct extraordinary circumstances applicable to this property but not applicable to other property in the vicinity or zoning district**
 - a. There are two properties in the area that are zoned R-1 but would be similarly non-conforming were they to be re-zoned R-2. These two properties are directly across the street from 3923 (Addresses 3922 and 3918). However, these two properties are fundamentally different than 3923:
 - i. Whereas 3923 is surrounded by one high density apartment building, two commercial properties, and one double dwelling unit, these two properties are adjacent to other single-family lots and to a wetlands to the rear.
 - ii. These lots are considerably smaller than 3923, calculated at approximately 2/3 the area. Given setback requirements, the buildable area of the lot would be prohibitively small for double dwelling use, resulting in individual units of widths that would fall below the required 18'.
 - iii. Because they are on the opposite side of the street, they could not claim they act as a transitional buffer from the commercial district.

PRELIMINARY REVIEW - 3923 49th STREET

JANUARY 10, 2014

MATHIAS MORTENSON • 612-655-3745

RE-ZONING AND VARIANCE REQUEST

3. Be in harmony with the general purposes and intent of the zoning ordinance.

- a. The City of Edina, per its Comprehensive Plan, regards this type of use to be both reasonable and favorable. It specifically encourages it in a variety of ways, promoting buildings that:
 - i. Are consistent with the character of the district:
 1. The block is considered a 'Traditional Neighborhood' where the 'relatively smaller lots' have not historically prohibited use as double-dwellings (CP, ch. 4, 4-9)
 2. The project would continue the pattern of 'integration of multi-unit housing at the edge of a commercial district' (CP, ch. 4, 4-27 + 4-43)
 - ii. Serve as a transitional use between 50th and France and single-family zones:
 1. Duplexes have historically served "as a kind of buffer or transition to the adjacent single-family housing." (CP, ch. 4, 4-43)
 2. "...Historical role...as transitional districts between single-family residential areas and major thoroughfares or commercial districts." (CP, ch. 4, 4-27)
 - iii. Support plans for future growth:
 1. Property is included in an LDAR district (CP, see 4-27 + Fig. 4.6A)
 - iv. Provide appropriate and desired level of density:
 1. "As Edina plans for current and future residents, it should focus on....developing transition strategies to **increase density** and encourage infill development" (CP, ch. 3, 3.2)

4. Not alter the essential Character of a neighborhood.

- a. All setback and height requirements would be maintained. See 1.c. above.

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STREET VIEW - LOOKING SOUTHWEST

PRELIMINARY REVIEW - 3923 49th STREET

JANUARY 10, 2014

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ISOMETRIC VIEW - LOOKING NORTHEAST

PRELIMINARY REVIEW - 3923 49th STREET

JANUARY 10, 2014

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A10



NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION

PRELIMINARY REVIEW - 3923 49th STREET

JANUARY 10, 2014

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