



To: MAYOR AND COUNCIL

Agenda Item #: VI.A

From: Cary Teague, Community Development Director

Action
Discussion
Information

Date: March 5, 2013

Subject: PUBLIC HEARING – Preliminary Plat With Variances, Rodney Helm on Behalf of Miriam Kiser, 5633 Tracy Avenue, Resolution No. 2013-26

Action Requested:

Adopt the attached resolution.

Information / Background:

Rodney Helm on behalf of Miriam Kiser is proposing 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 the request the following is required:

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

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.

Planning Commission Recommendation: On February 13, 2013, the Planning Commission unanimously recommended approval of the Lot Division.

ATTACHMENTS:

- Resolution No. 2012-6
- Draft minutes from the February 13, 2013 Edina Planning Commission meeting
- Planning Commission Staff Report, February 13, 2013



**RESOLUTION NO. 2013-6
APPROVING A PRELIMINARY PLAT WITH LOT WIDTH VARIANCES
AT 5633 TRACY AVENUE**

BE IT RESOLVED by the City Council of the City of Edina, Minnesota, as follows:

Section 1. BACKGROUND.

- 1.01 Mr. Rodney Helm on behalf of Miriam Kiser is requesting a Preliminary Plat of 5633 Tracy Avenue divide the existing parcel into two lots.
- 1.02 The following described tract of land is requested to be divided:

Lot 1, Block 1, Warden Acres Kiser Replat Fairfax Addition, according to the recorded plat thereof, Hennepin County, Minnesota.
- 1.03 The owner of the described land desires to subdivide said tract in to the following described new and separate parcels (herein called "parcels") described as follows:

Lots 1 and 2, Block 1, Kiser Subdivision.
- 1.04 The proposed subdivision requires the following variances:
 1. Lot width variances from 85 feet to 80 feet for each lot.
- 1.05 On February 13, 2013, the Planning Commission recommended approval of the Preliminary Plat and Variances on a Vote of 8-0.

Section 2. FINDINGS

- 2.01 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.

Section 3. APPROVAL

NOW THEREFORE, it is hereby resolved by the City Council of the City of Edina, approves the Preliminary Plat and requested Variances for the proposed subdivision of 5633 Tracy Avenue.

Approval is subject to the following Conditions:

1. The City must approve the final plat within one year of preliminary approval or receive a written application for a time extension or the preliminary approval will be void.
2. Prior to 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.

Adopted this ___ day of _____, 2013.

ATTEST: _____
Debra A. Mangen, City Clerk

James B. Hovland, Mayor

STATE OF MINNESOTA)
COUNTY OF HENNEPIN)SS
CITY OF EDINA)

CERTIFICATE OF CITY CLERK

I, the undersigned duly appointed and acting City Clerk for the City of Edina do hereby certify that the attached and foregoing Resolution was duly adopted by the Edina City Council at its Regular Meeting of _____, 2013, and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this ___ day of _____, 2013.

City Clerk

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



PLANNING COMMISSION STAFF REPORT

| | | |
|---|--|---|
| Originator Cary Teague Community Development Director | Meeting Date February 13, 2013 | Agenda # VII.E File # 2013.002a 2011.015.11a |
|---|--|---|

INFORMATION & BACKGROUND

Project Description

Rodney Helm on behalf of Miriam Kiser is proposing to subdivide the property at 5633 Tracy Avenue into two lots. (See property location on pages A1–A4.) The existing home would be torn down, and two new homes built on the new lots. (See applicant narrative and plans on pages A6–A17.) 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.

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. (See attached median calculations on pages A8 and A16.) 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. (See pages A2–A3.)

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 contains a one story single-family home and detached garage. (See pages A3 and A5.) Both the home and garage would be removed.

Planning

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

Lot Dimensions

| | Area | Lot Width | Depth |
|----------|-------------|-----------------|----------|
| REQUIRED | 12,090 s.f. | 85 feet | 135 feet |
| Lot 1 | 18,748 s.f. | 80 feet* | 232 feet |
| Lot 2 | 18,748 s.f. | 80 feet* | 232 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. Sewer and water has already been stubbed to each lot. A Nine Mile Creek Watershed District permit would also 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 80-foot lots, with the exception of the subject property. (See page A2.) The 85-foot lot width requirement is due to wider lots further away from the subject property.

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.

The site has utility stub connections that were installed as part of the Tracy Avenue street improvement project. (See page A12.)

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 generally unique to the Tracy Avenue area. The vast majority of the lots on Oaklawn are 80 feet wide and roughly 18,000 square feet in size. 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 80-foot wide lots as proposed.

Staff Recommendation

Recommend 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.

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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.
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 - 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.

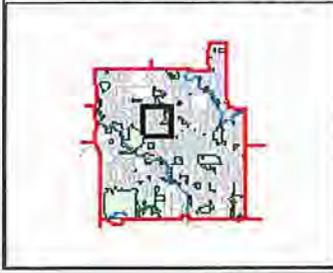
- f. A construction management plan will be required for the construction of the new homes.
- g. Utility hook-ups are subject to review of the city engineer.

Deadline for a City Decision: May 21, 2012

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: 3211721130066

5633 Tracy Ave
Edina, MN 55436



AI

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: 3211721130066

**5633 Tracy Ave
Edina, MN 55436**



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

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



PID: 3211721130066

**5633 Tracy Ave
Edina, MN 55436**



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: 3211721130066

**5633 Tracy Ave
Edina, MN 55436**





EXISTING HOME

AS



Attachment A: 5633 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 subject property is the remaining two parcels of what originally was a 4 parcel sized plat. The eastern one half of the site was subdivided into two separate sites in the late 1960's. The practical difficulty faced in this process is the 500' neighborhood definition. This particular '500'- neighborhood (77 sample)' encompasses a number of sites than when platted were done with shorter depths, but during platting, to gain larger square footage, widths were increased. An example is the blocks to the south of the subject. During platting the lot subdivision changed from fronting Tracy to fronting the east-west avenues. When this was done, the developer at the time was able to subdivide roughly 6 sites to every 4 sites as platted on the subject's block platting configuration. Further, with regards to reasonable use, the new proposed sites meet the minimum lot width (80') and are 155% larger in square footage than the median of the 77 property sampling and 171% deeper than the median of said property set.

2) Correct extraordinary circumstances applicable to this property but not applicable to other property in the vicinity or zoning district: YES. Of the 77 property set in the defined neighborhood, 13 of the homes front Tracy. Of those 13 properties, 9 homes have a narrower width than each of the proposed sites. Further, the proposed subject sites exceed the median width of the Tracy subset which is 80 feet. Please reference attachment B. This parcel is unique and in all practical purposes represents two appropriately sized sites for the neighborhood. Only two other properties out of the 77 sample remotely have the same issue.

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 (80'). Further, the proposed sites meet both minimum lot depth and square footage. With regards to the intent or spirit of the ordinance, the proposed sites offer the approximately the same site offering of its neighboring sites and greatly exceeds both the lot depth and lot area medians (as shown in #1 above).

Further, from an intent level, all preliminary indications were that these would be conforming sites. To illustrate this fact, the City of Edina during their resurfacing and sewer project, proceeded to run separate utilities to the proposed new site based upon the 'spirit' of the subdivision. Only after the 500' neighborhood analysis did the narrow miss on the median width requirement arise.

4) Not alter the essential Character of the neighborhood: YES. Looking further into the data set of the 77 properties as the defined in the 500' neighborhood, the proposed subdivision actually brings the proposed sites more in line with the typical sites. Currently, lot width of the subject is at the 99th percentile of the 77 property set and post subdivision. The new sites will be wider than 31 of the 77 sites (40th percentile) and within ¾ inch of width of 5 more sites in set, placing the property at proximately at the 47th percentile when treating these additional 5 parcels as comparable sites. This is shown in Attachment B.

PLANNING DEPARTMENT
JAN 2 2012
CITY OF EDINA

Attachment B: 5633 Tracy Subdision: Width sample details

| Sample | Width | Notes: |
|---------|-----------|--------|
| 1 | 50 | |
| 2 | 75 | |
| 3 | 75 | |
| 4 | 75 | |
| 5 | 75 | |
| 6 | 75 | |
| 7 | 75 | |
| 8 | 75 | |
| 9 | 75 | |
| 10 | 75 | |
| 11 | 75 | |
| 12 | 75 | |
| 13 | 75 | |
| 14 | 76 | |
| 15 | 78 | |
| 16 | 80 | |
| 17 | 80 | |
| 18 | 80 | |
| 19 | 80 | |
| 20 | 80 | |
| 21 | 80 | |
| 22 | 80 | |
| 23 | 80 | |
| 24 | 80 | |
| 25 | 80 | |
| 26 | 80 | |
| 27 | 80 | |
| 28 | 80 | |
| 29 | 80 | |
| 30 | 80 | |
| 31 | 80.6 | |
| 32 | 80.7 | |
| 33 | 80.7 | |
| 34 | 80.7 | |
| 35 | 80.7 | |
| 36 | 80.7 | |
| 37 | 84 | |
| 38 | 85 | |
| 39 | 85 | |
| 40 | 85 | |
| 41 | 85 | |
| 42 | 85 | |
| 43 | 85 | |
| 44 | 85 | |
| 45 | 86.9 | |
| 46 | 88 | |
| 47 | 88 | |
| 48 | 89 | |
| 49 | 90 | |
| 50 | 90 | |
| 51 | 90 | |
| 52 | 90 | |
| 53 | 90 | |
| 54 | 90 | |
| 55 | 90 | |
| 56 | 90 | |
| 57 | 90 | |
| 58 | 90 | |
| 59 | 91 | |
| 60 | 93 | |
| 61 | 93 | |
| 62 | 93 | |
| 63 | 93 | |
| 64 | 93 | |
| 65 | 93 | |
| 66 | 93 | |
| 67 | 93 | |
| 68 | 93 | |
| 69 | 93 | |
| 70 | 95 | |
| 71 | 100 | |
| 72 | 100 | |
| 73 | 103 | |
| 74 | 104 | |
| 75 | 110 | |
| 76 | 120 | |
| 77 | 121.8 | |
| Average | 85.633766 | |
| Median | 85 | |

| Subset: Tracy lot widths |
|--------------------------|
| 75 |
| 75 |
| 76 |
| 75 |
| 80 |
| 121.8 |
| 78 |
| 80 |
| 80 |
| 80.7 |
| 80.7 |
| 80 |
| 93 |
| 80 median on Tracy |

80.64 proposed lot width (between 31 and 32 sampling units, 40 percentile of same set)
 within 3/4 of inch
 within 3/4 of inch
 within 3/4 of inch
 within 3/4 of inch

exceeds 31 out of the 77
 within 3/4 of inch of 5 more

121.28 Current subject is 99 percentile of sampling set

PLANNING DEPARTMENT
 JAN 2 2012
 CITY OF EDINA

A8

5633 Tracy Subdivision: Explanation of Request

5633 Tracy Avenue represents the remaining two parcels of what originally was platted as a 4 parcel site. The east 232.5 feet was subdivided off in the late 1960's into two parcels. The remaining 232.5 feet to the west has been held and occupied by the original owner. The remaining portion is 161.28 feet wide and 232.5 deep. This is identical to the east portion that had been subdivided off. There currently is a single family dwelling on the site and a detached garage. The dwelling is in need of major renovation. As mentioned, the subject property is owned by the original owner, Miriam Kiser, 85, and represents a significant portion of her retirement assets. 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.

This subdivision requests separating the remaining 161.28 by 232.5 ft parcel into two equally sized parcels, with frontage on Tracy Avenue. Each site will be 80.64 feet wide.

PLANNING DEPARTMENT
JAN 2 2012
CITY OF EDINA

NOTICE TO PROPERTY OWNERS WITHIN 500 FEET OF PROPOSED SUBDIVISION

Re: Kiser Subdivision
5633 Tracy Ave.,
Edina, MN 55436

To Whom it may Concern:

This notice is being sent to all single-family property owners within 500 feet of the property proposed for subdivision pursuant to the City Ordinance Number 810. The property proposed for subdivision is located at 5633 Tracy Ave., Edina, Minnesota. The Property is legally described as:

Lot 1, Block 1, Warden Acres Kiser Replat, Hennepin County, Minnesota.

The proposed subdivision consists of dividing the existing parcel into 2 Lots.

The contact person for this subdivision is Rod Helm and can be contacted by mail at
Rod Helm
3033 Excelsior Blvd, Suite 100
Minneapolis, MN 55416

Telephone number: 952-924-6246

The proposal will be considered by the Edina Planning Commission on Wednesday, February 13, 2013, at 7:00 pm, in the City Hall Council Chambers, 4801 West 50th Street.

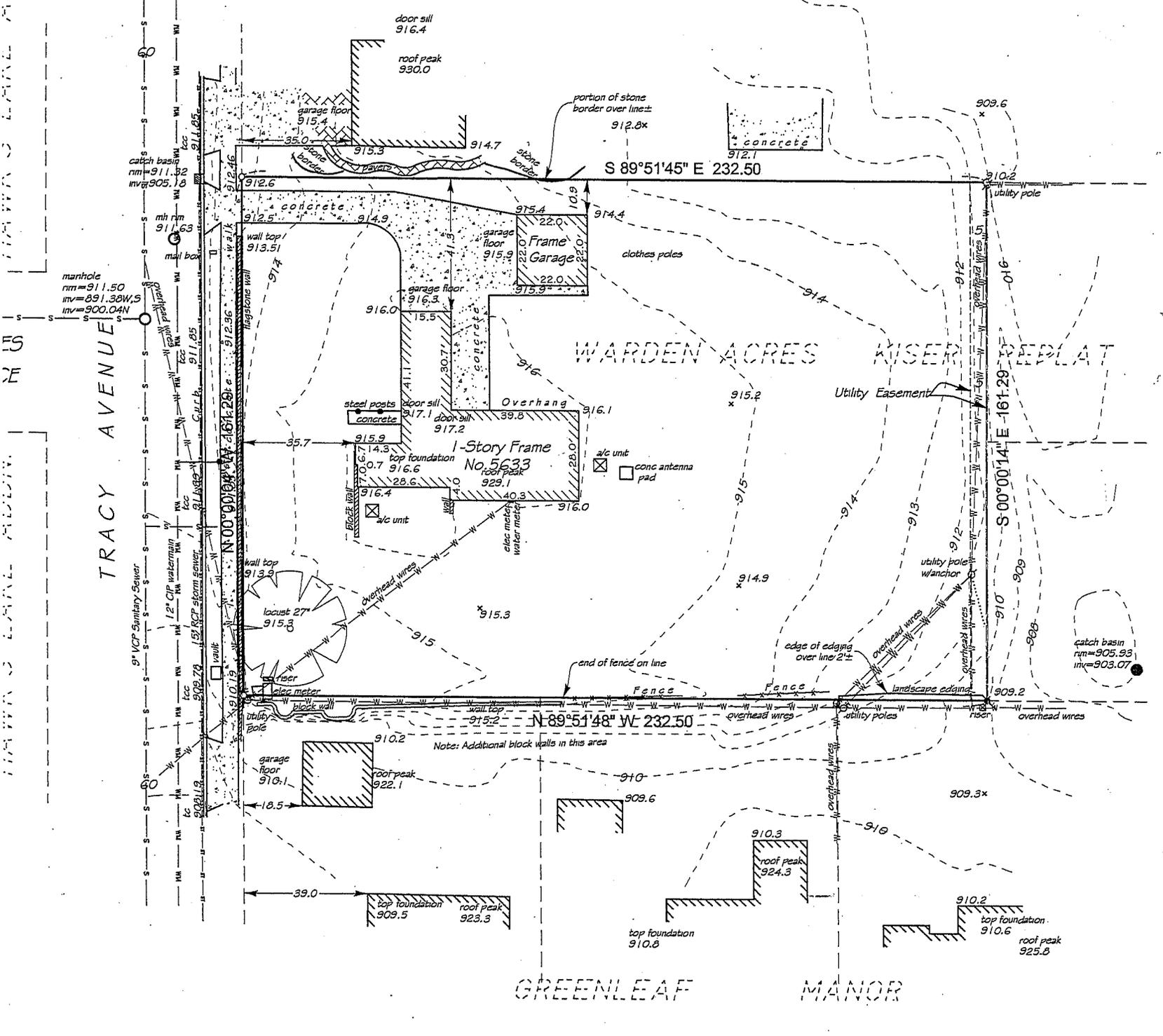
If you desire more information pertaining to the public hearing schedule or subdivision process please feel free to contact the City of Edina Planning Departments at (952) 826-0369.

Sincerely,



Rod Helm

"WARDEN ACRES HENN. CO. MINN."



LEGEND

- - - - - Denotes Existing Contour
- Denotes Iron Monument Set
- Denotes Iron Monument Found
- ⊙ Light
- ⊕ Hydrant
- ⊙ Power Pole
- ⊙ Catch Basins
- Manhole
- Fence
- Overhead Wires
- Sanitary Sewer
- Storm Sewer
- Watermain
- Gas Main
- Easement Line
- Building Line
- ⑫ Denotes height of building to adjacent ground

SHEET INDEX
 Sheet 1 - Existing Conditions Survey
 Sheet 2 - Preliminary Plat
 Sheet 3 - R-1 Lots within 500 feet of Subject Plat
 Sheet 4 - Grading, Drainage, Utility and Tree Plat

JAN 2 2012

RECORDED

basis of bearings is as shown

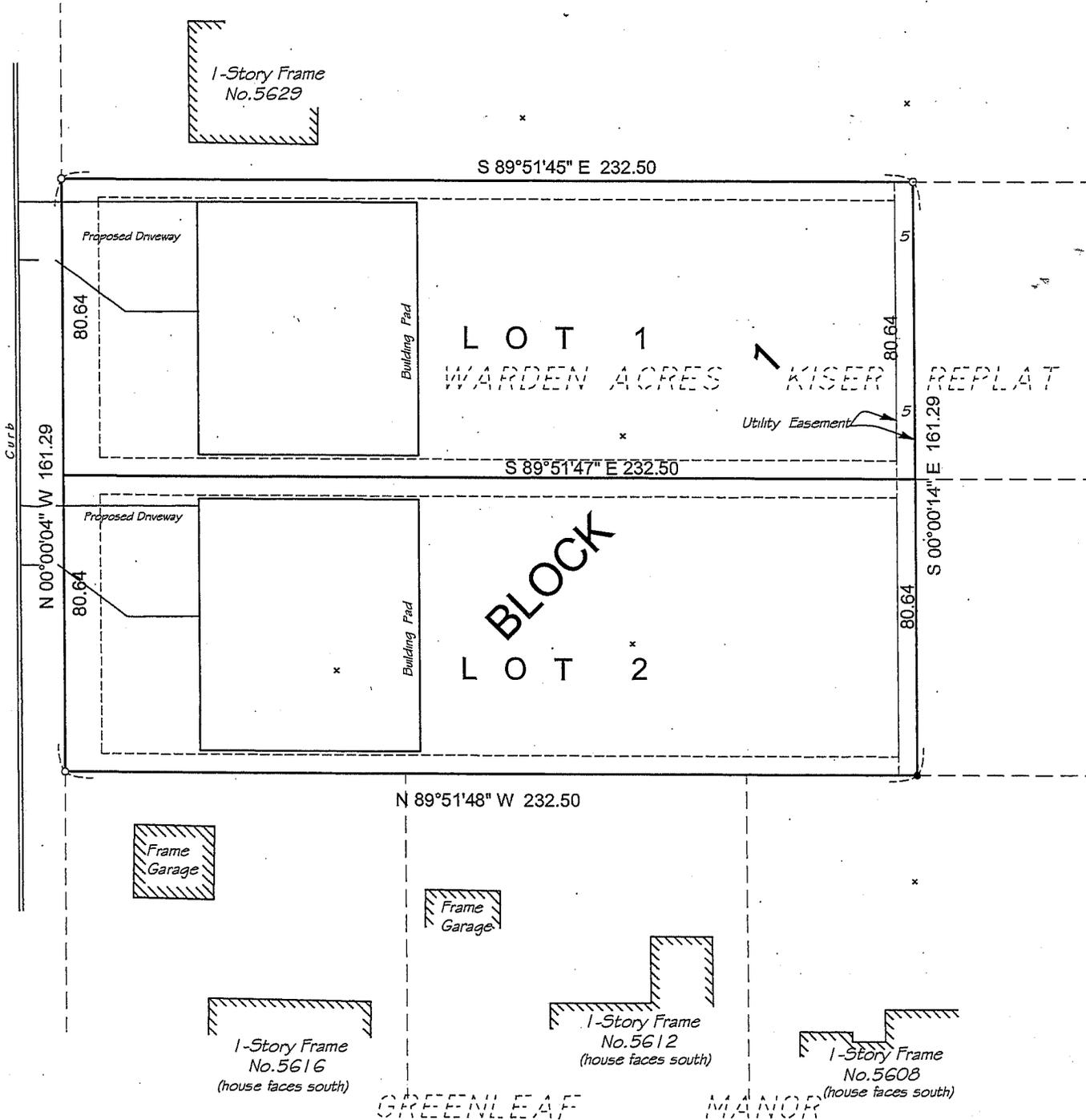
"WARDEN ACRES HENN. CO. MINN."

HAWK'S LAKE ADDN.
 50 HAWKES TERRACE
 HAWK'S LAKE ADDN.

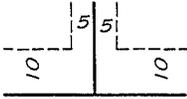
TRACY AVENUE

60

60



PROPOSED UTILITY & DRAIN EASEMENTS ARE SHOWN



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

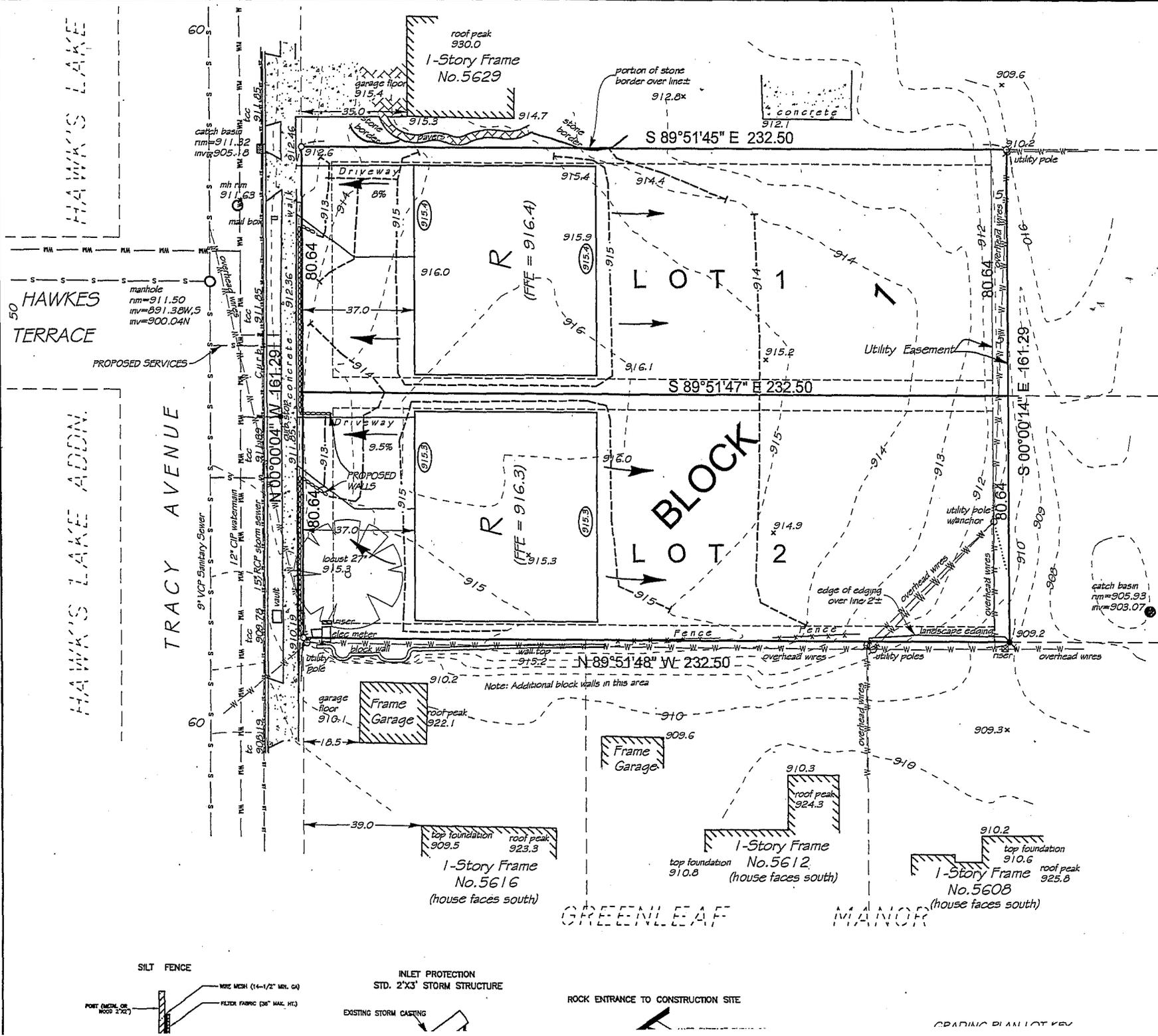
AIR

SHEET INDEX
 Sheet 1 - Existing Conditions Survey
 Sheet 2 - Preliminary Plat
 Sheet 3 - R-1 Lots within 500 feet
 Sheet 4 - Grading, Drainage, Utility

GREENLEAF

MANOR





CONSTRUCTION NOTES

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

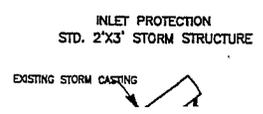
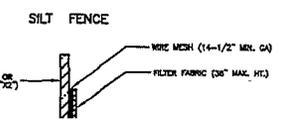


GOVERNING SPECIFICATIONS

1. The 2005 edition of the Minnesota Department of Transportation "Standard, Specifications 1 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 Ass Minnesota Standard Specifications.

LEGEND

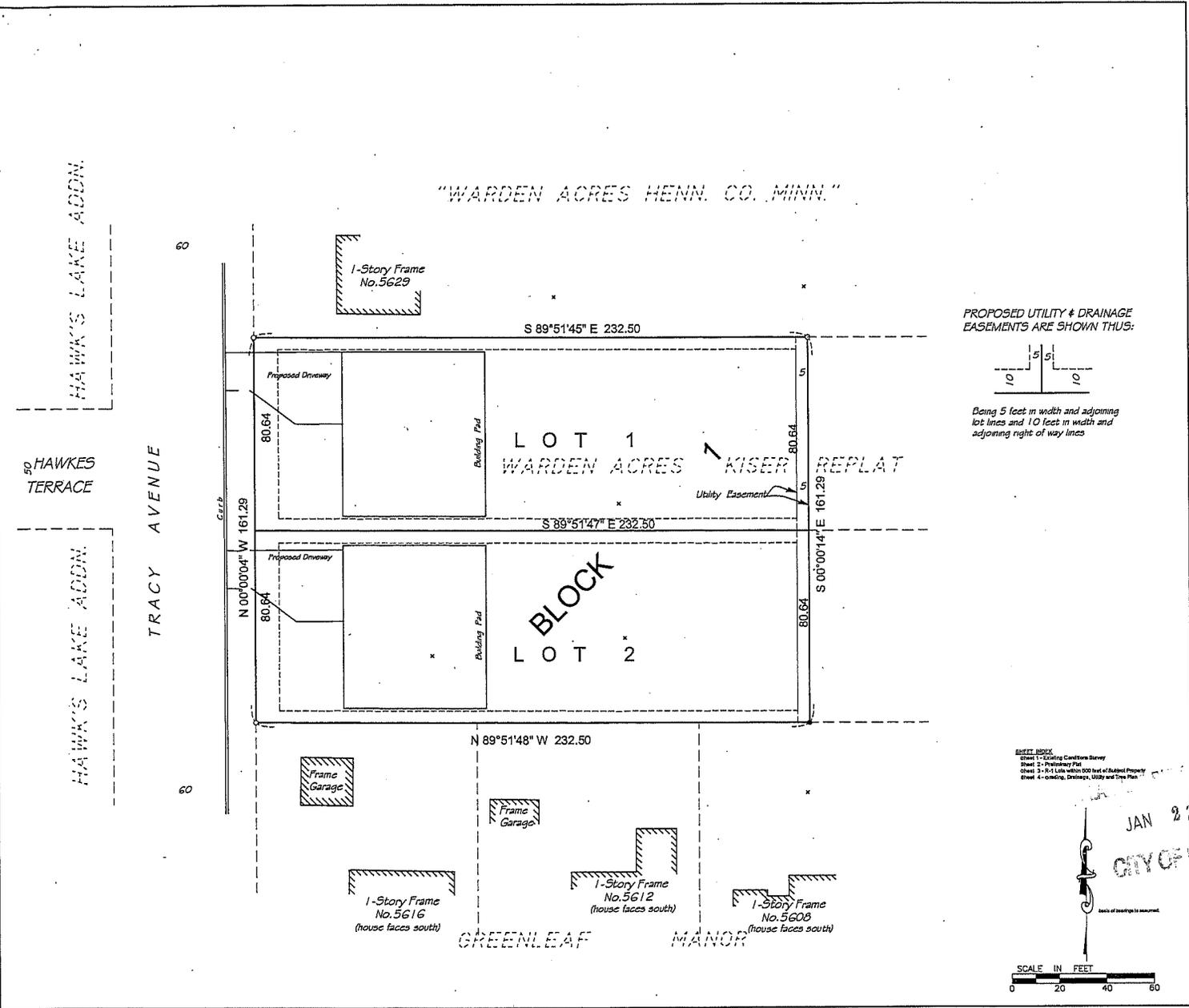
- - - - - Denotes Existing Contour
- - - - - Denotes Proposed Contour
- Denotes Iron Monument Set
- Denotes Iron Monument Found
- ☆ Light
- ⊙ Hydrant
- ⊙ Power Pole
- ⊙ Catch Basins
- Manhole
- - - - - Fence
- - - - - Overhead Wires
- - - - - Sanitary Sewer
- - - - - Storm Sewer
- - - - - Watermain
- - - - - Gas Main
- - - - - Easement Line
- - - - - Building Line
- (with elevation) Denotes Proposed Elevation
- (with elevation) Denotes surface water direction
- ⊗ Denotes Existing Tree to be removed



ROCK ENTRANCE TO CONSTRUCTION SITE

GRADING PLAN LOT KEY

SHEET INDEX
 Sheet 1 - Existing
 Sheet 2 - Preliminary
 Sheet 3 - R-1 Lot
 Sheet 4 - Grading



PRELIMINARY PLAT FOR:

Miriam Kiser
5633 Tracy Ave.
Edina, MN 55436

NOTES:

Property Address: 5633 Tracy Ave., Edina, MN 55436
 Property Identification Number: 22-117-21-13-0056
 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 houses.
 Side Yard: Varies with building height (5 feet minimum)
 Rear Yard: 25 feet

Total Area of Property = 37407 sq. ft. (0.86 acres)
 Total number of proposed Lots = 2

Area of proposed Lots
 Lot 1 - 10746 sq.ft.
 Lot 2 - 16746 sq.ft.

Owner and Developer:
 Miriam Kiser
 3683 Park Center Blvd.
 St Louis Park, MN 55416

Contact:
 Rod Helm
 3533 Excelsior Blvd, Suite 116
 Minneapolis, MN 55416
 phone 612-424-4246

Recorded: Top end of highway at SE corner of Tracy Ave. and Greenleaf Manors
 Elevation = 937.37 feet

Legal Description

Lot 1, Block 1, Warden Acres Kiser Replat, Hennepin County, Minnesota.

A15

PRELIMINARY PLAT
KISER SUBDIVISION

For:
Miriam Kiser
5633 Tracy Ave.,
Edina, MN 55436

CERTIFICATION

The only easements shown are from plats or records 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 17th day of January, 2012.

Signed: *[Signature]*
Gregory R. Pridgen, JLS, Reg. No. 24192

| | | |
|----------------|---------|---|
| Date of Survey | 9-27-12 | LOT SURVEYS COMPANY, INC. LAND SURVEYORS 7601 73RD AVENUE N. 8510 DULY PARK, MN 55426 763-568-3083 phone 763-568-3522 fax |
| Revised: | | |
| | | |
| | | |
| Plat No. | 1556-19 | Invoice No. DR821 |

Sheet 2 of 4

Miriam Kiser
5633 Tracy Ave.
Edina, MN 55436

NOTES:

Property Address: 5633 Tracy Ave., Edina, MN 55436
 Property Identification Number: 32-117-21-13-0068
 Existing Zoning Classification - R-1 (Single Dwelling Unit District)
 Proposed Zoning Classification - R-1 (Single Dwelling Unit District)
 Required Building Setback:
 Front Yard: Average of adjacent houses.
 Side Yard: Varies with building height (5 feet minimum)
 Rear Yard: 25 feet
 Total Area of Property = 37407 sq. ft. (0.86 acres)
 Lot areas shown from Hennepin County Tax Records
 Lot Width and Depth as determined by the City of Edina's definition shown in Section 850 of the City Code. Lot information from Hennepin County Half Section Map.

Legal Description

Lot 1, Block 1, Warden Acres Kiser Replat, Hennepin County, Minnesota.

KISER SUBDIVISION

For:
Miriam Kiser
5633 Tracy Ave.
Edina, MN 55436

CERTIFICATION

The only measurements shown are from plans of record or information provided by owner.
 I certify that this plan, application, 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 11th day of November, 2012.

Gregory R. Johnson, Minn. Reg. No. 24862

Date of Survey: 8-27-12
 Revision:
 File No.: 10000-100002100-dw.rvt

LOT SURVEYS COMPANY, INC.
 LAND SURVEYORS
 7811 THIRD AVENUE N.E.
 BROOKLYN PARK, MN 55428
 763-560-3363 phone
 763-560-3322 fax

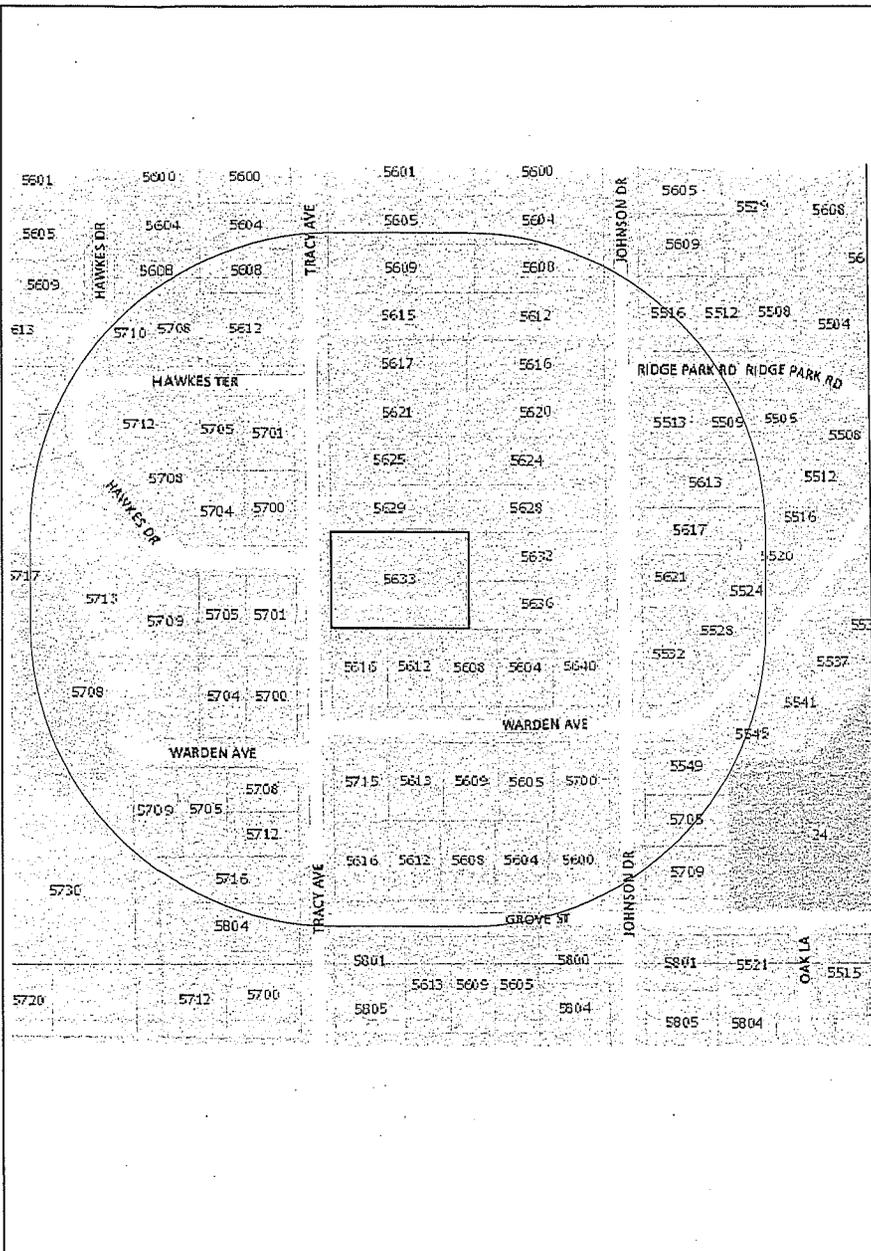
P.L. No. 1655-10 Issue No. BR821

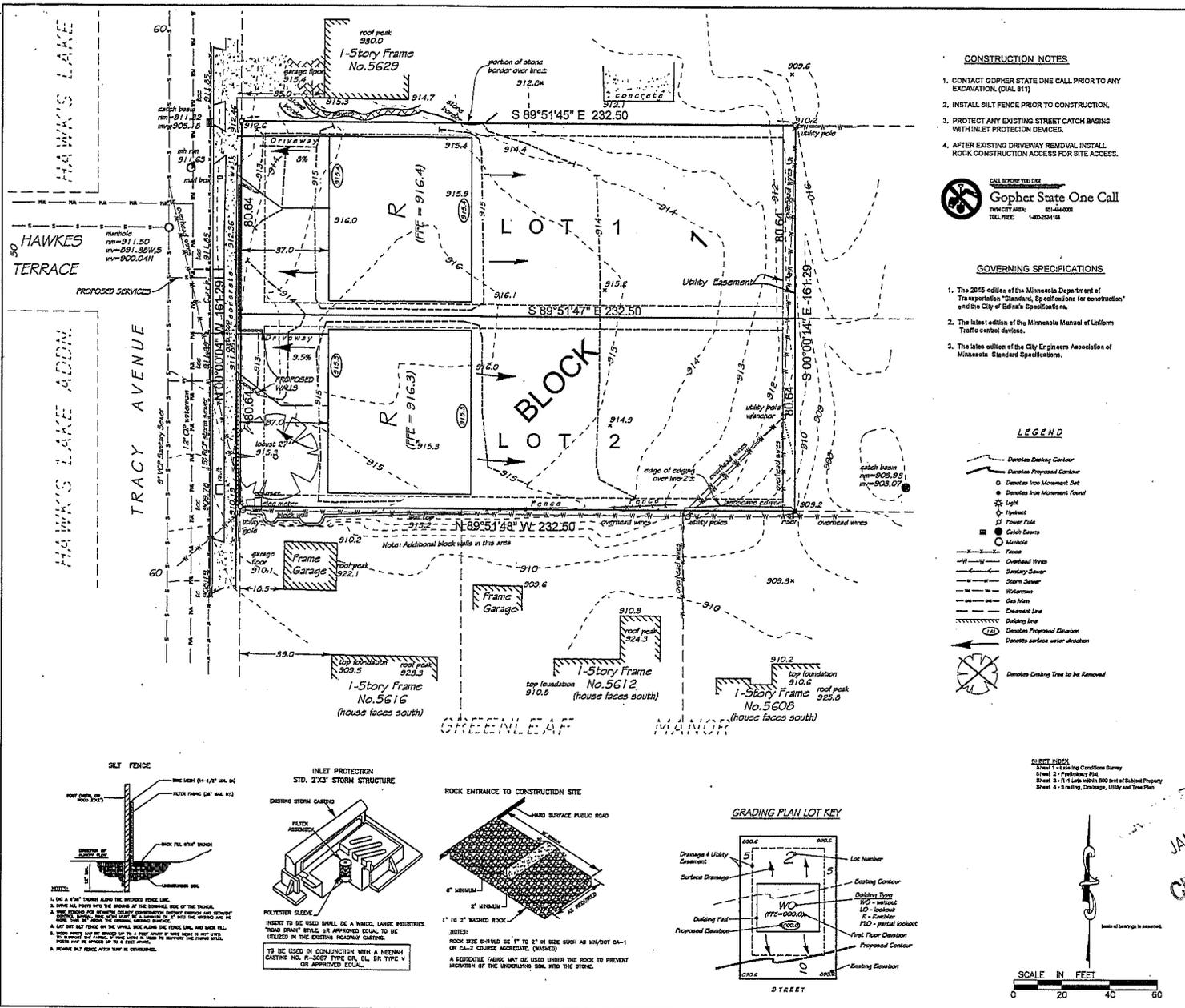
| DESCRIPTION | OWNER | OWNER PLS. NUMBER | AREA | ACRES | WIDTH | DEPTH | |
|------------------------------|---------------------|-------------------|-------------------|-------|---------|--------|---------|
| 1-1 Fridlands | 5708 Tracy Ave | Hirt | 32-117-21-13-0001 | 9000 | 75 | 120 | |
| 2-1 Fridlands | 5712 Tracy Ave | Wildmark | 32-117-21-13-0002 | 9000 | 75 | 120 | |
| 1 Greenleaf Manor | 5640 Warden Ave | Winkoff | 32-117-21-13-0004 | 12050 | 93 | 130 | |
| 2 Greenleaf Manor | 5640 Warden Ave | Tucker | 32-117-21-13-0005 | 12050 | 93 | 130 | |
| 3 Greenleaf Manor | 5608 Warden Ave | Kohler | 32-117-21-13-0006 | 12050 | 93 | 130 | |
| 4 Greenleaf Manor | 5612 Warden Ave | Collins | 32-117-21-13-0007 | 12050 | 93 | 130 | |
| 5 Greenleaf Manor | 5608 Warden Ave | Johnson | 32-117-21-13-0011 | 12283 | 93 | 132.1 | |
| 6 Greenleaf Manor | 5605 Warden Ave | Roje | 32-117-21-13-0012 | 12281 | 93 | 132.1 | |
| 10 Greenleaf Manor | 5700 Johnson Ave | Haney | 32-117-21-13-0013 | 12278 | 93 | 132 | |
| 11 Greenleaf Manor | 5618 Grove St | Rudolf | 32-117-21-13-0014 | 12344 | 91 | 133.9 | |
| 12 Greenleaf Manor | 5653 Edina Blvd | NRP | 32-117-21-13-0015 | 12048 | 90 | 133.8 | |
| 13 Greenleaf Manor | 5608 Grove St | Kirney | 32-117-21-13-0018 | 12042 | 90 | 133.6 | |
| 14 Greenleaf Manor | 5604 Grove St | Johnson | 32-117-21-13-0017 | 12038 | 90 | 133.7 | |
| 1-1 Hawkes Lake Add | 5704 Hawkes Ter | Lochlin | 32-117-21-13-0020 | 10907 | 703 | 125 | |
| 3-1 Hawkes Lake Add | 5712 Hawkes Dr | Deupala | 32-117-21-13-0020 | 13518 | 90 | 130 | |
| 4-1 Hawkes Lake Add | 5708 Hawkes Dr | Brunn | 32-117-21-13-0021 | 11021 | 100 | 125 | |
| 5-1 Hawkes Lake Add | 5704 Hawkes Dr | Baker | 32-117-21-13-0022 | 11037 | 90 | 125 | |
| 6-1 Hawkes Lake Add | 5700 Hawkes Dr | Erwinson | 32-117-21-13-0023 | 10588 | 85 | 125.7 | |
| 1-2 Hawkes Lake Add | 5729 Hawkes Dr | Udall/Haring | 32-117-21-13-0024 | 36218 | 75 | 300 | |
| 3-2 Hawkes Lake Add | 5721 Hawkes Dr | Silme | 32-117-21-13-0025 | 30613 | 75 | 300 | |
| 4-2 Hawkes Lake Add | 5717 Hawkes Dr | Hornumel | 32-117-21-13-0027 | 37518 | 75 | 300 | |
| 5-2 Hawkes Lake Add | 5715 Hawkes Dr | Mediam | 32-117-21-13-0028 | 20911 | 75 | 230 | |
| 6-2 Hawkes Lake Add | 5709 Hawkes Dr | Chandler | 32-117-21-13-0029 | 18521 | 75 | 157 | |
| 7-2 Hawkes Lake Add | 5705 Hawkes Dr | Finnes | 32-117-21-13-0030 | 10778 | 80 | 137 | |
| 8-2 Hawkes Lake Add | 5701 Hawkes Dr | Schmitt | 32-117-21-13-0031 | 11747 | 80 | 137 | |
| 9-2 Hawkes Lake Add | 5700 Warden Ave | Waltberg | 32-117-21-13-0032 | 11543 | 85 | 136 | |
| 10-2 Hawkes Lake Add | 5704 Warden Ave | Marston | 32-117-21-13-0033 | 10663 | 80 | 138 | |
| 2-1 J & J Add | 5604 Johnson Dr | Wray | 32-117-21-13-0037 | 17387 | 80 | 217.5 | |
| 2-1 J & J Add | 5608 Johnson Dr | Fritsch | 32-117-21-13-0038 | 17551 | 80 | 217.5 | |
| 2-1 Kohridge Add | 5604 Tracy Ave | Sorber | 32-117-21-13-0041 | 6922 | 70 | 183 | |
| 3-1 Kohridge Add | 5608 Tracy Ave | Patrick | 32-117-21-13-0042 | 6708 | 70 | 153 | |
| 1-1 Kohridge 2nd Add | 5710 Hawkes Ave | Liscouat | 32-117-21-13-0046 | 6708 | 50 | 66 | |
| 2-1 Kohridge 2nd Add | 5708 Hawkes Ter | Schmitt | 32-117-21-13-0047 | 6670 | 80 | 200 | |
| 3-1 Kohridge 2nd Add | 5608 Hawkes Dr | Hartmann | 32-117-21-13-0048 | 16771 | 75 | 135 | |
| 4 Warden Acres | 5629 Hawkes Ave | Curtis | 32-117-21-13-0059 | 11776 | 80 | 200 | |
| 4 Warden Acres | 5625 Tracy Ave | Mchuda | 32-117-21-13-0057 | 16034 | 80 | 200 | |
| 4 Warden Acres | 5629 Hawkes Ave | Vine | 32-117-21-13-0058 | 21150 | 80 | 200 | |
| 4 Warden Acres | 5628 Johnson Dr | Sneak | 32-117-21-13-0059 | 21301 | 80 | 200 | |
| 7 Warden Acres | 5612 Tracy Ave | Shanohl | 32-117-21-13-0060 | 19589 | 121.8 | 180 | |
| 9 Warden Acres | 5716 Tracy Ave | Sundarman | 32-117-21-13-0063 | 20224 | 78 | 230 | |
| Warden Acres | 5700 Grove St | Shurck | 32-117-21-13-0064 | 74 | N/A | N/A | |
| Warden Kiser Replat | 5633 Tracy Ave | Kiser | 32-117-21-13-0068 | N/A | N/A | N/A | |
| 2-1 Warden Kiser Replat | 5632 Johnson Dr | Melin | 32-117-21-13-0067 | 18751 | 80.7 | 232.3 | |
| 2-1 Warden Kiser Replat | 5633 Johnson Dr | Wassonhill | 32-117-21-13-0068 | 18749 | 80.6 | 232.5 | |
| 2-1 Warden Acres Lorenson Re | 5608 Tracy Ave | Grisey | 32-117-21-13-0070 | 18732 | 80 | 229.2 | |
| 1-1 Warden Ac McGrew Re | 5617 Tracy Ave | Nelson | 32-117-21-13-0073 | 18751 | 80.7 | 232.3 | |
| 2-1 Warden Ac McGrew Re | 5618 Johnson Dr | Barnam | 32-117-21-13-0074 | 18751 | 80.7 | 232.3 | |
| 3-1 Warden Ac McGrew Re | 5620 Johnson Dr | Frank | 32-117-21-13-0075 | 18740 | 80.7 | 232.5 | |
| 4-1 Warden Ac McGrew Re | 5621 Tracy Ave | Iath | 32-117-21-13-0078 | 18740 | 80.7 | 232.5 | |
| 43 Warden Acres | 13560 Technology Dr | Seglia | 32-117-21-13-0077 | 13905 | 104 | 133.7 | |
| 1 Warden Acres | 5705 Warden Ave | Wolward | 32-117-21-13-0078 | 18195 | 75 | 150 | |
| 9 Warden Acres | 4801 50th St | Edino | 32-117-21-13-0079 | 10750 | 75 | 150 | |
| 11 Hawkes Lake Add | 5708 Warden Ave | Burns | 32-117-21-13-0080 | 44392 | 80 | 136 | |
| 4-1 J & J Add | 5612 Johnson Dr | Hagan | 32-117-21-13-0081 | 18282 | 80 | 217.5 | |
| 4-1 J & J Add | 5616 Tracy Ave | Suzette | 32-117-21-13-0082 | 14885 | 85 | 161.4 | |
| 11-1 Edina Parklands | 5541 Warden Ave | Lindstrand | 32-117-21-14-0011 | 13287 | 85 | 150 | |
| 12-1 Edina Parklands | 5545 Warden Ave | Gilchrist | 32-117-21-14-0012 | 11575 | 84 | 108 | |
| 13-1 Edina Parklands | 5546 Warden Ave | Murray | 32-117-21-14-0013 | 13310 | 80 | 140.8 | |
| 14-1 Edina Parklands | 5105 Johnson Dr | Coit | 32-117-21-14-0014 | 12654 | 90 | 140.7 | |
| 15-1 Edina Parklands | 5709 Johnson Dr | Hubbard | 32-117-21-14-0015 | 12637 | 80 | 140.7 | |
| 1-2 Edina Parklands | 5513 Ridge Park Rd | Rogara | 32-117-21-14-0016 | 12001 | 100 | 120 | |
| 2-2 Edina Parklands | 5508 Ridge Park Rd | Bryan | 32-117-21-14-0017 | 11801 | 80 | 120 | |
| 3-2 Edina Parklands | 5505 Ridge Park Rd | Pochs | 32-117-21-14-0018 | 10544 | 120 | 120 | |
| 6-2 Edina Parklands | 5518 Warden Ave | Curtnay | 32-117-21-14-0021 | 9385 | 84 | 127 | |
| 7-2 Edina Parklands | 5520 Warden Ave | Ernet | 32-117-21-14-0022 | 9852 | 85 | 127 | |
| 8-2 Edina Parklands | 5524 Warden Ave | Carlsby | 32-117-21-14-0023 | 9361 | 84 | 123 | |
| 9-2 Edina Parklands | 5528 Warden Ave | Willis | 32-117-21-14-0024 | 10333 | 90 | 130 | |
| 10-2 Edina Parklands | 5532 Warden Ave | Marrison | 32-117-21-14-0025 | 13772 | 110 | 150 | |
| 11-2 Edina Parklands | 5621 Johnson Dr | Dederiche | 32-117-21-14-0026 | 9048 | 85.8 | 103 | |
| 9-1 Edina Parklands | 5512 Ridge Park Rd | Gitan | 32-117-21-14-0034 | 10828 | 85 | 121.4 | |
| 10-3 Edina Parklands | 5516 Ridge Park Rd | Burr | 32-117-21-14-0033 | 12114 | 95 | 127.5 | |
| 3-3 Edina Parklands | 5613 Johnson Dr | Coccorosa | 32-117-21-14-0040 | 17848 | 80 | 223 | |
| 2-1 Edina Parklands | 5617 Johnson Dr | Doyle | 32-117-21-14-0041 | 13668 | 80 | 169 | |
| 4-1 J & J Add | 5618 Johnson Dr | City Edina | 32-117-21-14-0049 | 174 | N/A | N/A | |
| 3-3 Edina Parklands | 5712 Grove St | Fridlund | 32-117-21-14-0028 | 17200 | 85 | 156 | |
| 5 Greenleaf Manor | 5616 Warden Ave | Kramer | 32-117-21-13-0068 | 12080 | 83 | 130 | |
| 6 Greenleaf Manor | 5715 Tracy Ave | Mannan | 32-117-21-13-0069 | 12284 | 83 | 132.2 | |
| 7 Greenleaf Manor | 5608 Warden Ave | Cornishon | 32-117-21-13-0010 | 12500 | 93 | 132.1 | |
| 1-1 Hawkes Lake Add | 5701 Hawkes Ter | Nelson | 32-117-21-13-0018 | 10812 | 85 | 125 | |
| mean average | | | 14782.5 | 85.8 | 166.41 | | |
| median | | | 12690 | 85 | 134 | | |
| 77 total app/cable lots | | | | | | | |
| total | | | total | total | 1138712 | 6583.6 | 12097.5 |

Lot areas shown from Hennepin County Tax Records

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

Sheet 1 of 2
 Sheet 2 - Preliminary Plat
 Sheet 3 - Final Plat
 Sheet 4 - Grading, Drainage, Utility and Tree Plan





GRADING, DRAINAGE, UTILITY AND TREE PLAN
Miriam Kiser
 5633 Tracy Ave.
 Edina, MN 55436

NOTES:

Property Address: 5633 Tracy Ave., Edina, MN 55436
 Property Identification Number: 32-117-21-13-0858
 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 lots.
 Side Yard: Varies with building height (5-foot minimum)
 Rear Yard: 25 feet
 Total Area of Property = 37407 sq. ft. (8.60 acres)
 Total number of proposed Lots = 2
 Area of proposed Lots:
 Lot 1 - 18748 sq. ft.
 Lot 2 - 18748 sq. ft.

Seasonal: Top set of hydrant at SE corner of Tracy Ave. and Vernon.
 Elevation = 937.37 feet.

Legal Description

Lot 1, Block 1, Warden Acres Kiser Reglot, Hennepin County, Minnesota.

GRADING, DRAINAGE, UTILITY AND TREE PLAN
KISER SUBDIVISION
 For:
Miriam Kiser
 5633 Tracy Ave.
 Edina, MN 55436

CERTIFICATION

The only assessments shown are from plans 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 11th day of November, 2012.

signed: *James P. Paul*
 James P. Paul, M.S.L.S.
 License No. 24622

LOT SURVEYS COMPANY, INC.
 LAND SURVEYORS
 7891 TRACY AVENUE N.
 BROOKLYN PARK, MN 55426
 763-569-3883 phone
 763-569-3022 fax

Date of Survey: 9-27-12
 Plan No.:
 File No.:
 Plan & Instrument Number:
 P.D. No. 1856-19 Invoice No. 80621

CITY OF EDINA
 JAN 2 2012

SCALE IN FEET
 0 20 40 60

Helm, Rod M

From: Sherman, Tod (DOT) [Tod.Sherman@state.mn.us]
Sent: Thursday, January 03, 2013 2:03 PM
To: Helm, Rod M
Subject: RE: 5633 Tracy Avenue, Edina, Subdivision

Rod:

Thanks for sending in the plans. MnDOT has no problems with the proposed lot split.

Thanks, Tod

Tod Sherman, Planning Supervisor
Mn/DOT Metro District
1500 W. County Road B-2
Roseville, MN 55113
(651) 234-7794
tod.sherman@state.mn.us

From: Helm, Rod M [mailto:RHelm@CBBURNET.COM]
Sent: Wednesday, January 02, 2013 2:19 PM
To: Sherman, Tod (DOT)
Subject: 5633 Tracy Avenue, Edina, Subdivision

Tod Sherman
MN Department of Transportation
Metro District

Dear Tod,

Thanks for your time on the phone today. As discussed, please find the following attachments regarding the proposed subdivision of 5633 Tracy Avenue in Edina:

- 1) Application for subdivision
- 2) Plat of current site
- 3) Proposed site subdivision plat

Thanks again. Let me know if you need anything else.

Rod Helm CRS, GRI, REALTOR
*2013 President Elect, MN Assoc. of Realtors
Voted Mpls/St. Paul Mag. "Super Agent", '03-'12
CBB International President's Circle*

Coldwell Banker Burnet
3033 Excelsior Blvd. Suite # 100
Minneapolis, MN 55416
952.924.6246 (work)
612.720.9792 (cell)
612.920.4706 (fax)
Licensed agent in MN
rhelm@cbburnet.com

2/5/2013

AIS