

REPORT / RECOMMENDATION



To: MAYOR AND COUNCIL

Agenda Item #: IV.O.

From: Cary Teague, Community Development Director

Action
Discussion
Information

Date: April 22, 2014

Subject: Resolution No. 2014-41 Final Plat, 6304 & 6312 Warren Avenue for Homestead Partners LLC.

Action Requested:

Adopt the attached Resolution approving the Final Plat.

Information / Background:

On March 4, 2014, the City Council approved the Preliminary Plat. The Final Plat is the same as the approved Preliminary Plat.

ATTACHMENTS:

- Resolution 2014-41
- Preliminary & Final Plat
- City Council Minutes March 4, 2014



**RESOLUTION NO. 2014-41
APPROVING A FINAL PLAT
AT 6304 AND 6312 WARREN AVENUE**

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

Section 1. BACKGROUND.

- 1.01 Homestead Partners LLC is requesting a Final Plat of 6304 and 6312 Warren Avenue to divide the existing parcel into two lots.
- 1.02 The following described tract of land is requested to be divided:

See attached Exhibit A
- 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, 2, and 3 Block 1, Wyman Place.
- 1.04 The proposed subdivision meets all minimum zoning ordinance requirements.
- 1.05 On March 4, 2014, the City Council approved the Preliminary Plat on a Vote of 5-0.

Section 2. FINDINGS

- 2.01 Approval is based on the following findings:
 1. The proposed Final Plat is the same as the approved Preliminary Plat.

Section 3. APPROVAL

NOW THEREFORE, it is hereby resolved by the City Council of the City of Edina, approves the Final Plat for the proposed subdivision of 6304 and 6312 Warren Avenue, subject to the following conditions:

1. Park dedication fee of \$5,000 must be paid prior to release of the final plat.

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. Curb-cut permits must be obtained from the Edina engineering department. Curb cut on Lot 1 shall be located on the east side of the lot.
 - c. A grading plan subject to review and approval of the city engineer is required for each building permit. There shall be no net increase in flow volume or peak rate to adjacent property.
 - d. A construction management plan will be required for the construction of the new homes.
 - e. Utility hook-ups are subject to review and approval of the city engineer.
3. Final site development shall be consistent with preliminary plat, landscape plan, drainage plan, and utility plan date stamped 2-24-14.
4. Should boulevard trees die during construction of the new homes, they must be replaced 1 for 1.
5. No boulevard trees shall be removed for the location of new driveways.

Adopted this 22nd day of April, 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 April 22, 2014, and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this ____ day of _____, 2014.

City Clerk

Exhibit A

KNOW ALL PERSONS BY THESE PRESENTS: That Homestead Partners, LLC, a Minnesota limited liability company, owner of the following described property situated in the County of Hennepin, State of Minnesota, to wit:

Lot 1, except the North 75.00 feet thereof, all of Lot 2 and that part of Lot 3 lying Northerly of a line running from a point in the East line of said Lot 3, distant 14.00 feet South of the Northeast corner thereof to a point in the West line of said Lot 3 distant 18.00 feet South of the Northwest corner thereof, all in Block 7, "NORMANDALE SECOND ADDITION".

That part of the North 75.00 feet of Lot 1, Block 7, "NORMANDALE SECOND ADDITION," which lies Southerly of the following described line: Commencing at the Southeast corner of the North 75.00 feet of said Lot 1; thence North 00 degrees, 00 minutes, 49 seconds East, along the East line of said Lot 1, a distance of 43.33 feet to the beginning of the line to be described; thence Northerly and Westerly a distance of 30.28 feet along a tangential curve to the left, having a radius of 16.30 feet and a central angle of 106 degrees, 26 minutes, 18 seconds; thence South 73 degrees, 34 minutes, 31 seconds West, tangent to said curve, a distance of 27.14 feet; thence South 71 degrees, 59 minutes, 20 seconds West a distance of 129.71 feet; thence Westerly along a curve, concave to the North having a radius of 454.78 feet to the Southwest corner of the North 75.00 feet of said Lot 1, and said line there terminating, Hennepin County, Minnesota.

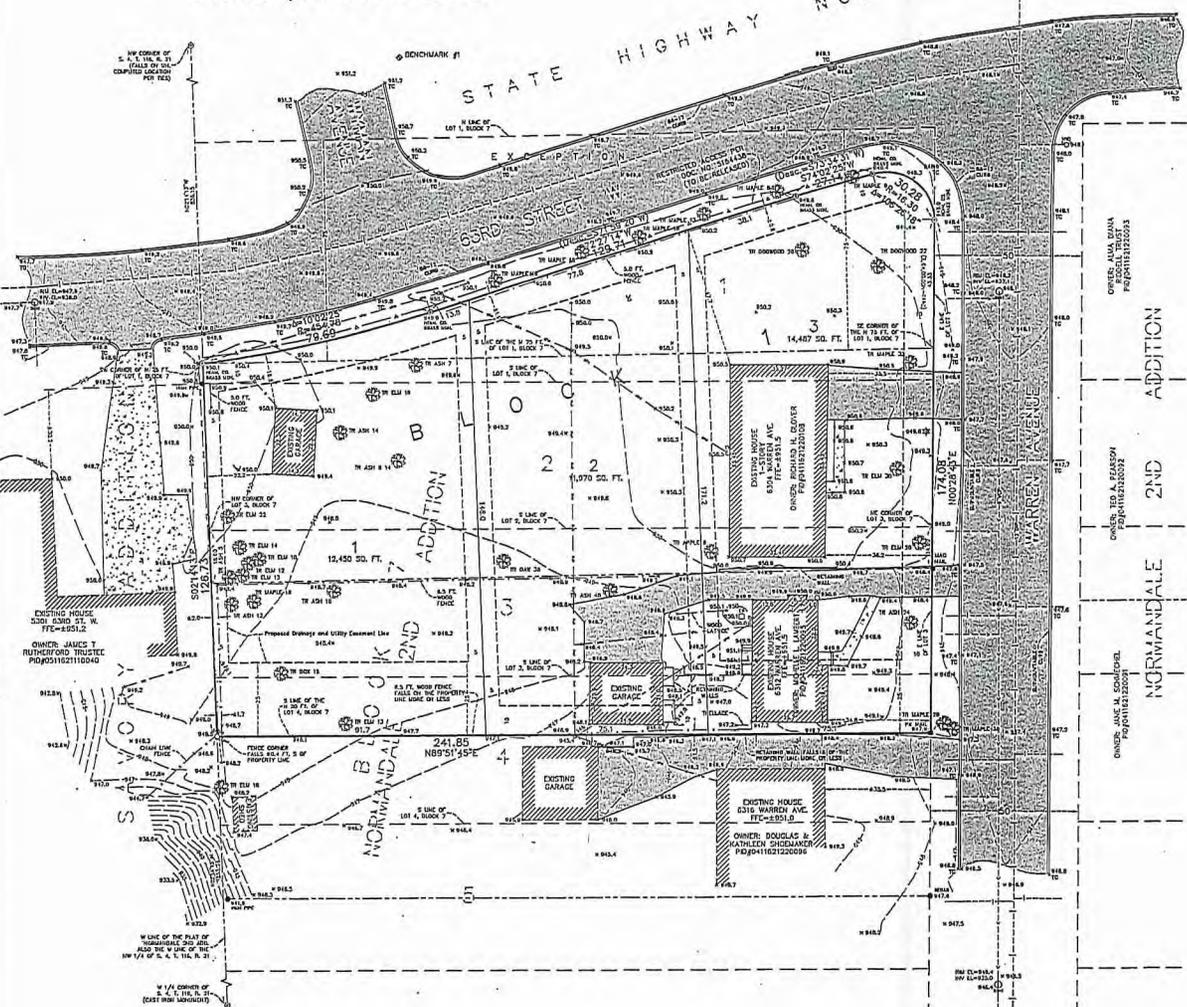
AND

That part of Lot 3 lying Southerly of a line running from a point in the East line of said Lot 3, distant 14.00 feet South of the Northeast corner thereof to a point in the West line of said Lot 3, distant 18.00 feet South of the Northwest corner thereof, and the North 20 feet of Lot 4, Block 7, "NORMANDALE SECOND ADDITION", according to the recorded plat thereof, Hennepin County, Minnesota.

Has caused the same to be surveyed and platted as WYMAN PLACE and does hereby dedicate to the public for public use the easements created by this plat for drainage and utility purposes only.

WYMAN PLACE

EDINA, MINNESOTA



PARCELS DESCRIPTIONS
 [Par Schedule A of Title Commitment No. 98-28717, with a commitment date of September 4, 2013, at 7:00 A.M., prepared by Custom Home Builders Title, LLC, as issuing agent for Stewart Title Guaranty Company]
 Lot 1, except the North 75.00 feet thereof, all of Lot 2 and that part of Lot 3 lying northerly of a line running from a point in the East line of said Lot 3, distant 14 feet South of the Northwest corner thereof to a point in the West line of said Lot 3, distant 10 feet South of the Northwest corner thereof, all in Block 7, "Normandale Second Addition", which has southerly of the line to be described thereon northerly and westerly a distance of 30.20 feet along the North 75.00 feet of said Lot 1; thence North 0 degrees, 00 minutes, 45 seconds East, along the East line of said Lot 1, a distance of 43.32 feet to the beginning of a curve to be described; thence northerly and westerly a distance of 30.20 feet along a tangential curve in the left hand to a radius of 18.30 feet and a central angle of 105 degrees, 26 minutes, 18 seconds; thence South 73 degrees, 24 minutes, 23 seconds West, tangent to said curve, a distance of 27.14 feet; thence South 73 degrees, 24 minutes, 23 seconds West a distance of 120.77 feet; thence westerly along a curve, tangent to the North bearing a radius of 434.78 feet to the Southwest corner of the North 75.00 feet of said Lot 1, and said line there terminating, Hennepin County, Minnesota.

AND
 [Par Schedule A of Title Commitment No. 98-28720, with a commitment date of September 4, 2013, at 7:00 A.M., prepared by Custom Home Builders Title, LLC, as issuing agent for Stewart Title Guaranty Company]
 That part of Lot 3 lying southerly of a line running from a point in the East line of said Lot 3, distant 14 feet South of the Northwest corner thereof, to a point in the West line of said Lot 3, distant 10 feet South of the Northwest corner thereof, and the North 75 feet of Lot 1, Block 7, "Normandale Second Addition", according to the recorded plat (above), Hennepin County, Minnesota.

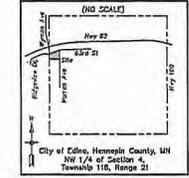
(Abstract Property)

- GENERAL NOTES:**
- The field work for this survey was completed on January 7, 2014.
 - Readings shown hereon are based on the West line of the Northwest Quarter of Section 4, Township 116, Range 21, which is assumed to have 5022.132'.
 - Surveyed property addresses - 6304 & 6312 Warren Avenue, Edina, MN 55438.
 - Surveyed property contains 638,507 Sq. Ft. (14.63 acres).
 - Above ground utilities have been field located as shown. All underground facilities shown hereon are APPROXIMATE. Prior to any excavation or digging, contact Gopher State One Call for an on-site location (451-454-0002).
 - Due to snow and winter conditions, an additional site visit may be needed in the Spring to locate additional improvements which may not have been visible at the time of survey.
 - Restricted Access per Doc. No. 2534425 will need to be released.

LEGEND

- - Denotes Hennepin County Monument, as noted
- - Denotes Found Monument, as noted
- - Denotes Call from Pipes, Marked with RLS 40361
- - Denotes Light Pole
- - Denotes Sanitary Manhole
- - Denotes Existing Spot Elevation
- - Denotes Existing Tree
- - Denotes Television Box
- - Denotes Fire Hydrant
- - Denotes Gate Valve
- - Denotes Electric Box
- - Denotes Gas Meter
- - Denotes Catch Basins
- - Denotes Electric Meter
- - Denotes Utility Pole
- - Denotes Miscellaneous Manhole
- - Denotes Underground Electric
- - Denotes Overhead Utility
- - Denotes Watermain
- - Denotes Sanitary Sewer
- - Denotes Overhead Utilities
- - Denotes Storm Sewer
- - Denotes Existing Fence as noted
- - Denotes Concrete Surface
- - Denotes Bituminous Surface
- - Denotes Existing 1 Ft. Contour
- - Denotes Existing 5 Ft. Contour

VICINITY MAP



SITE DATA

TOTAL PARCEL AREA	1,38,907 sq. ft.
Lot 1	12,450 sq. ft.
Lot 2	11,970 sq. ft.
Lot 3	14,487 sq. ft.
TOTAL NUMBER OF LOTS	3
AVERAGE LOT AREA	12,969 sq. ft.
Minimum Lot Width at 50 ft. from front lot line	= 75 ft.
Minimum Lot Depth at midpoint of lot	= 135 ft.
Minimum Lot Area	= 9,446 sq. ft.
EXISTING ZONING:	R-1
PROPOSED ZONING:	R-1
UTILITIES:	AVAILABLE

PROPOSED DRAINAGE AND UTILITY EASEMENTS, BEING "S" ADJACENT TO SIDE LOT LINES AND "O" ADJACENT TO FRONT OR REAR LOT LINES, UNLESS OTHERWISE SHOWN AND DENOTED ON THIS PLAT.

BENCHMARKS

1. Data located on the SE corner of bridge over Hwy. 52, Elev = 553.09 (NGVD 29)
2. Top mt. of hydrant located 2212 ft. west of the NW corner of the adjacent property. Elev = 929.39 (NGVD 29)



SHEET INDEX

1. EXISTING CONDITIONS & PRELIMINARY PLAT
 2. PRELIMINARY SITE & UTILITY PLAN
 3. PRELIMINARY GRADING & EROSION CONTROL PLAN
- LI. PRELIMINARY LANDSCAPE PLAN

Carlson McCain
 ENVIRONMENTAL - ENGINEERING - SURVEYING
 248 Apollo Dr, Suite 100, Uno Lakes, MN 55014
 Phone: 763-489-7900 Fax: 763-489-7959

PRELIMINARY PLAT & EXISTING CONDITIONS
 WYMAN PLACE
 Edina, Minnesota

HOMESTEAD PARTNERS, LLC
 525 15th Avenue S.
 Hopkins, MN 55343

REVISIONS

1.	Par City comments. 02/12/14
2.	
3.	
4.	

DRAWN BY: MLD
 REVIEWED BY: TMS
 ISSUE DATE: 01/13/14

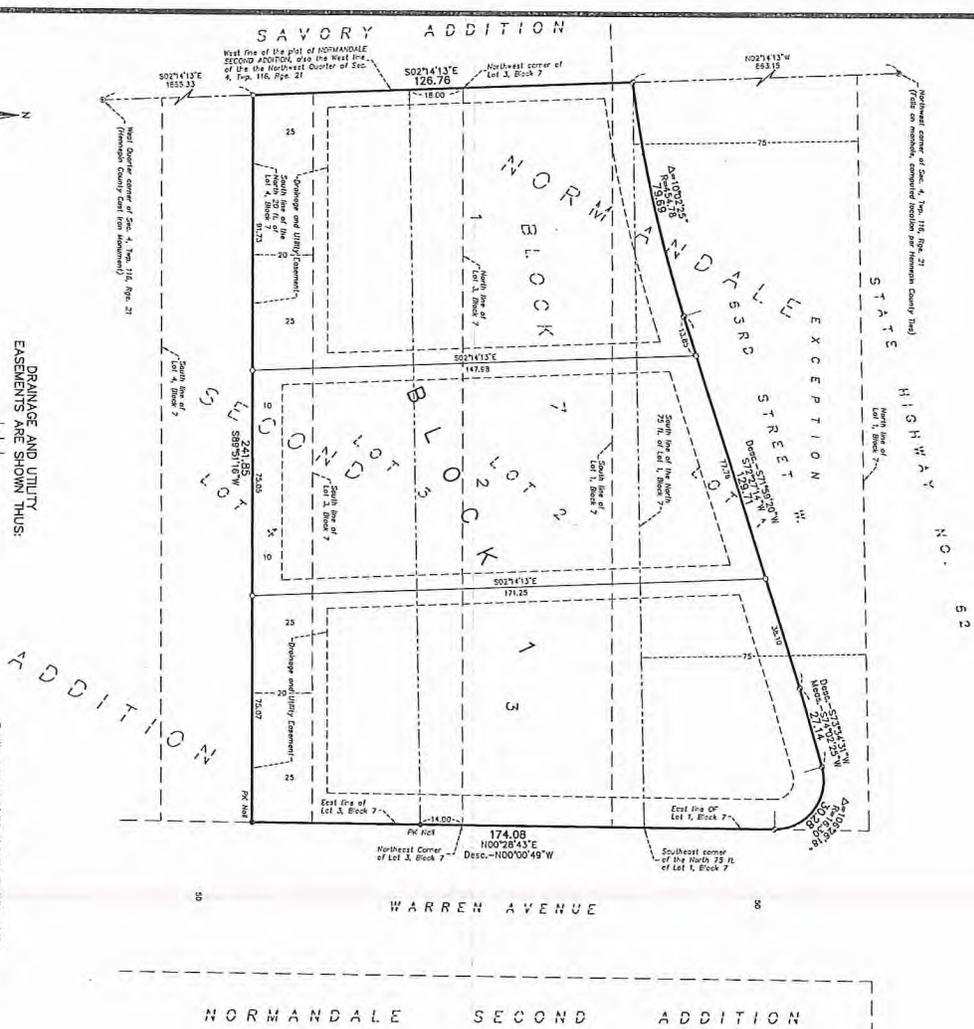
I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Name: Thomas B. Haller
 Signature: *[Signature]*
 Date: 01/13/14 License #1_40161

WYMAN PLACE

FINAL PLAT

C.R. DOC. NO. _____

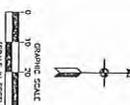


DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:

ADDITION

For the purpose of this plat, the West line of the Northwest Quarter of Sec. 4, Twp. 116, Rgn. 21 to have a bearing of South 02°14'13" East. Dimensions 1/2 inch by 14 inch from monument and to be set within one year of recording of this plat and marked with license number 40581.

- Denotes found monument, as noted
- Denotes Brass Copper Hennepin County Right of Way Monument



KNOW ALL PERSONS BY THESE PRESENTS, That Homestead Partners, LLC, a Minnesota limited liability company, owner of the following described property situated in the County of Hennepin, State of Minnesota, to wit:

Lot 1, except the North 75.00 feet thereof, of Lot 2 and that part of Lot 3 lying westerly of a line running from a point in the East line of said Lot 3, distant 180.00 feet South, to a point in the West line of said Lot 3, distant 180.00 feet South of the Northwest corner thereof, of Lot 2, "NORMANVILLE SECOND ADDITION".

That part of the North 75.00 feet of said Lot 1, Block 7, "NORMANVILLE SECOND ADDITION", which lies southerly of the following described line: Commencing at the Southeast corner of the North 75.00 feet of said Lot 1, thence North 00 degrees, 00 minutes, 00 seconds East, along the East line of said Lot 1, a distance of 423.33 feet to the center of a 100' diameter, 26' diameter, 18' second, thence South 72 degrees, 34 minutes, 31 seconds West, along the West line of said Lot 1, a distance of 271.4 feet, thence South 72 degrees, 34 minutes, 31 seconds East, along the East line of said Lot 1, a distance of 454.75 feet to the Southeast corner of the North 75.00 feet of said Lot 1, and said line hereinafter, Hennepin County, Minnesota.

AND

That part of Lot 3 lying southerly of a line running from a point in the East line of said Lot 3, distant 14.00 feet South of the Northwest corner thereof to a point in the West line of said Lot 3, distant 18.00 feet South of the Northwest corner thereof, and the North 20 feet of Lot 4, Block 7, "NORMANVILLE SECOND ADDITION", excepting to the recorder and Henry H. Schwaner, Hennepin County, Minnesota.

That the above described property be conveyed and held as WYMAN PLACE and shall be conveyed to the public for public use the easements created by this plat for drainage and utility purposes only.

In witness whereof said Homestead Partners, LLC, a Minnesota limited liability company, has caused these presents to be signed by its proper officer this ____ day of _____, 20__.

HOMESTEAD PARTNERS, LLC
By: _____
Henry H. Schwaner as Civil Engineer

STATE OF _____
COUNTY OF _____

I, Thomas R. Bault, do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and values are correctly determined on this plat; that all monuments depicted on this plat are shown and labeled on this plat; and that all public ways are shown and labeled on this plat.

Dated this ____ day of _____, 20__.

Thomas R. Bault, Licensed Land Surveyor
Minnesota License No. 40581

STATE OF MINNESOTA
COUNTY OF _____

This instrument was acknowledged before me on this ____ day of _____, 20__ by Thomas R. Bault.

Notary Public: _____
My commission expires: _____

MINNAPOLIS SERVICES DEPARTMENT, Hennepin County, Minnesota
I hereby certify that taxes payable in 20__ and prior years have been paid for land described on this plat, dated this ____ day of _____, 20__.

Mark V. Clark, County Auditor
By: _____
Dorothy M. Johnson, County Clerk

SINCE ENROLLMENT, Hennepin County, Minnesota
Pursuant to Minnesota Statutes, Section 320A.55 (1989), this plat has been approved this ____ day of _____, 20__.

William R. Brown, County Surveyor
By: _____

COUNTY RECORDER, Hennepin County, Minnesota
I hereby certify that the within plat of WYMAN PLACE was recorded in this office this ____ day of _____, 20__ at _____.

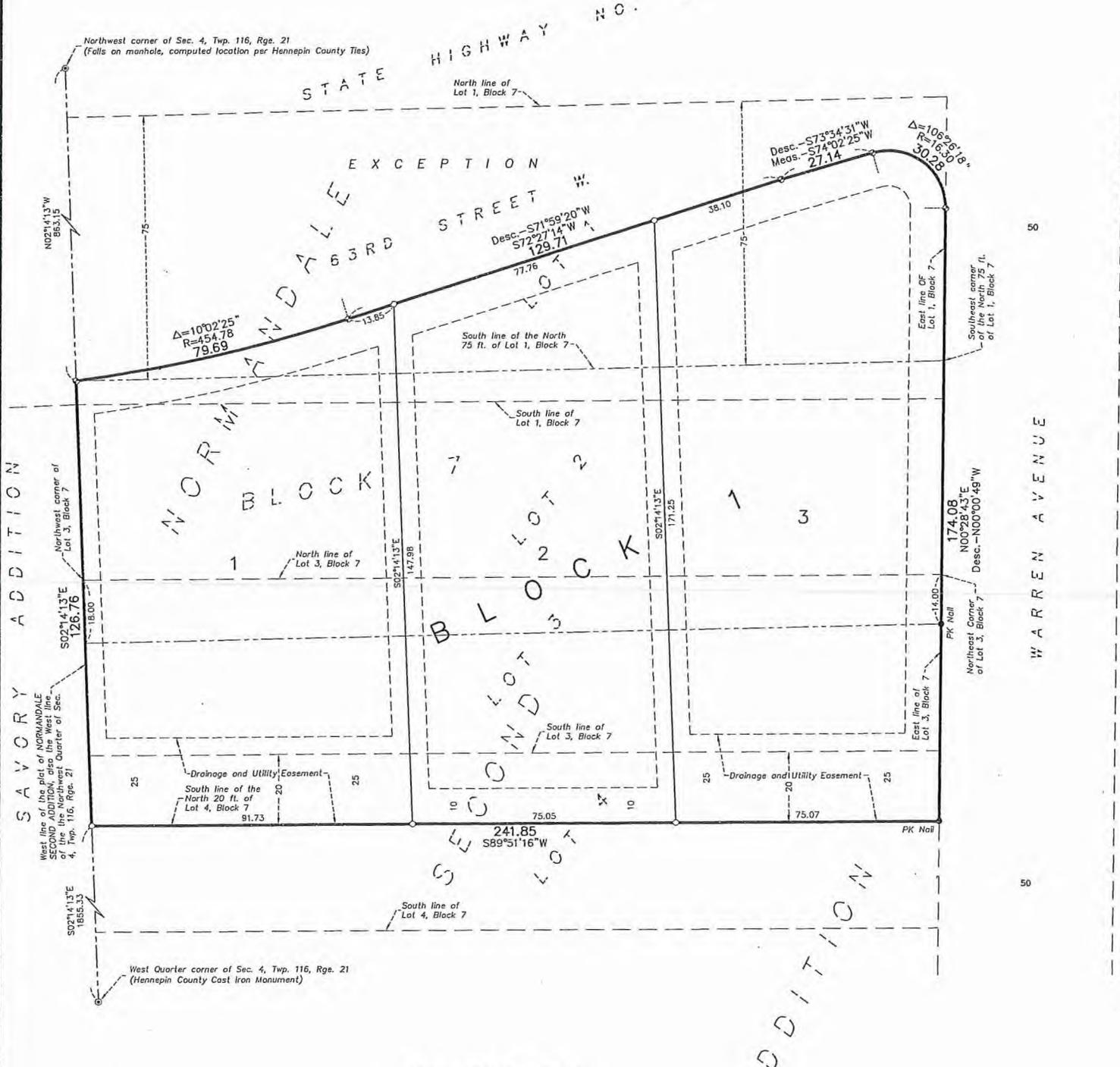
Rachel Smith, acting County Recorder
By: _____ Henry

APR 09 2014
CITY OF MINNEAPOLIS



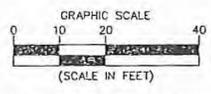
FINAL PLAT

62

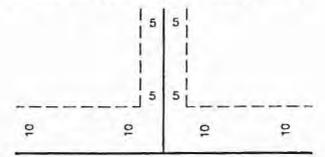


SAVORY ADDITION

WARREN AVENUE



DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



being 5 feet in width, and adjoining side lot lines, and 10 feet in width and adjoining right of way lines and rear lot lines unless otherwise shown on this plat.

For the purposes of this plat, the West line of the Northwest Quarter of Sec. 4, Twp. 116 Rge. 21 is assumed to have a bearing of South 02°14'13" East.

- Denotes 1/2 inch by 14 inch iron monument set or to be set within one year of recording of this plat and marked with license number 40361
- Denotes found monument, as noted
- ⊙ Denotes Brass Capped Hennepin County Right of Way Monument

Minutes/Edina City Council/March 4, 2014

Schmick Seafood Restaurant, Mozza Mia, Nakomori Japanese Bistro, P.F. Chang's Bistro, Pinstripes, Inc., Pittsburgh Blue, Raku, Inc., Rojo Mexican Grill, Romano's Macaroni Grill, Ruby Tuesday, Salut Bar Americain, Tavern on France, The Cheesecake Factory, and Westin Edina Galleria; Club & Sunday Sale: Edina Country Club and Interlachen Country Club; On-Sale Wine and On-Sale 3.2 Beer: Beaujo's, Biryani, Chipotle Mexican Grill, Crooks of Crocus Hill, D'Amico & Sons, Good Earth Restaurant, Makers Café 1, Hello Pizza, Marriott Residence Inn, Noodles & Company, People's Organic Coffee/Wine Galleria Café, Red's Savoy Pizza, Rice Paper Asian Fusion Restaurant, Smashburger, and TJ's of Edina Restaurant; On-Sale 3.2 Licenses: Chuck E. Cheese's and Davanni's Pizza/Hoagies; and, Off-Sale 3.2 Licenses: Cub Foods, DB Convenience LLC (Edina Market & Deli), Holiday Stationstore #217, Jerry's Foods, and Speedway SuperAmerica LLC

IV.J. Authorize City Council Members to Attend the 2014 Congressional Cities Conference of the National League of Cities

Rollcall:

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

V. SPECIAL RECOGNITIONS AND PRESENTATIONS

None

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

VI.A. SUBDIVISION, 6304 AND 6312 WARREN AVENUE, HOMESTEAD PARTNERS – RESOLUTION NO. 2014-25 – ADOPTED

Community Development Director Presentation

Community Development Director Teague presented the request of Homestead Partners LLC to subdivide properties at 6304 and 6312 Warren Avenue into three lots. The existing two homes would be torn down and three new homes built on the new lots. He advised that the proposal meets all minimum lot size requirements. Lots 1 and 2 would gain access off 63rd Street and Lot 3 would gain access off Warren Avenue. Mr. Teague reviewed the revised landscape plan to accommodate the neighborhood's input. He advised of the Planning Commission's unanimous recommendation for approval subject to findings and conditions as detailed in the February 12, 2014 staff memorandum.

Mr. Teague and City Engineer Millner answered questions of the Council relating to the species of trees that would be saved as a result of relocating the utility lines, alignment of underground utilities, one-day Wyman Bridge closure, curb cuts, placement of driveways, and buildable area.

Proponent Presentation

Matthew Hanish, 635 Danube Avenue, Shakopee, representing Homestead Partners, assured the Council that boulevard trees would be saved to the extent possible. He stated Mr. Bona had contacted the resident who voiced concerns at the public hearing.

Mayor Hovland opened the public hearing at 7:21 p.m.

Public Testimony

Jerry Erickson, 6325 Mildred Avenue, addressed the Council.

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

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

The Council addressed issues raised during public testimony and discussed the conditions of approval.

Member Swenson introduced and moved adoption of Resolution No. 2014-25, Approving a Preliminary Plat at 6304 and 6312 Warren Avenue, 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 plat will be void.**
- 2. Park dedication fee of \$5,000 must be paid prior to release of the final plat.**
- 3. Prior to issuance of a building permit, the following must be submitted:**
 - a. Submit evidence of Nine Mile Creek Watershed District approval. The City may require revisions to the preliminary plat to meet the District's requirements.**
 - b. Curb-cut permits must be obtained from the Edina Engineering Department.**
 - c. A grading plan subject to review and approval of the City Engineer is required for each building permit. There shall be no increase in flow volume or peak rate to adjacent property.**
 - d. A construction management plan will be required for the construction of the new homes.**
 - e. Utility hook-ups are subject to review of the City Engineer.**
- 4. Final site development shall be consistent with preliminary plat, landscape plan, drainage plan, and utility plan date stamped 2-24-14.**
- 5. Should boulevard trees die during construction of the new homes, they must be replaced one for one.**
- 6. No boulevard tree shall be removed for the location of new driveways.**

Member Bennett seconded the motion.

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

VI.B. GOLF COURSE OPERATIONS – FRED RICHARDS GOLF COURSE – TABLED TO MARCH 18, 2014

Parks & Recreation Director Presentation

Manager Neal and Parks & Recreation Director Kattreh provided a review of past considerations related to the City's Golf Enterprise and presented the Golf Course Operations Study, findings, and six-step strategy to narrow the scope of golf operations; invest in improvements at Braemar Golf Course; modify prices and discounts; outsource ancillary services; expand marketing; and, improve customer services. A slide was displayed depicting future significant non-budgeted expenses at Fred Richards Golf Course. The recommendation of the Park Board was presented to support the golf operations proposal and close Fred Richards Golf Course.

In response to the Council's question, Mr. Neal commented on the importance of protecting the City's AAA bond rating, which was enjoyed by less than 6% municipalities nationwide, and negative impact relating to the City's golf operation and accumulated deficit. Mr. Neal described the state statute "Edina Law," which allowed the City to borrow money without public referendum for recreation enterprises as long as the pooled finances of the enterprises covered operating expenses. Again, the golf operating deficit impacted the City's ability to borrow money for improvements to recreational facilities.

Ms. Kattreh stated for the last twenty years there had been a significant bond payment for Fred Richards Golf Course and if that debt payment was not factored in, operations reached a break-even point. However, there was \$50,000 in unallocated expenses (supplies, staffing) not currently being charged to Fred Richards Golf Course. Staff recommended focusing the City's resources to one golf campus. With regard to maintenance at Fred Richards Golf Course, one of the challenges was soft