

REPORT / RECOMMENDATION



To: MAYOR AND COUNCIL

Agenda Item #: IV.F.

From: Cary Teague, Community Development Director

Action

Discussion

Information

Date: July 21, 2015

Subject: Resolution No. 2015-72 Final Plat, 5825 Ashcroft Avenue for Jeffrey and Janine Johnson.

Action Requested:

Adopt the attached Resolution approving the Final Plat.

Information / Background:

On May 6, 2015, the City Council approved the Preliminary Plat. The Final Plat is the same as the approved Preliminary Plat.

ATTACHMENTS:

- Resolution 2015-72
- Preliminary & Final Plat
- City Council Minutes May 6, 2015



**RESOLUTION NO. 2015-72
APPROVING A FINAL PLAT
AT 5825 ASHCROFT AVENUE**

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

Section 1. BACKGROUND.

1.01 Janine and Jeffrey Johnson are proposing to subdivide their property at 5825 Ashcroft Avenue into two lots.

1.02 The following described tract of land is requested to be divided:

Lots 1 and 2, Block 1, Fairfax 4th Addition

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, Fairfax 4th Addition

1.04 The proposed subdivision reestablishes the original plat.

1.05 To accommodate the request the following Variances were granted:

1. A subdivision;
2. Lot width variances from 75 feet to 50 feet for each lot; and
3. Lot area variances from 9,000 square feet to 6,781 square feet for each lot.

1.06 On May 6, 2015, the City Council approved the Preliminary Plat and Variances 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 Preliminary Plat and Lot Area and Width Variances for the proposed subdivision of 5825 Ashcroft Avenue.

Approval is subject to the following Conditions:

Prior to issuance of a building permit, the following items must be submitted:

1. Submit evidence of Minnehaha Creek Watershed District approval. The City may require revisions to the preliminary plat to meet the district's requirements.
2. A curb-cut permit must be obtained from the Edina engineering department.
3. A grading, drainage and erosion control plan subject to review and approval of the city engineer. The proposed plans shall meet all conditions outlined in the engineering memo dated April 15, 2015
4. There shall be no increase in peak rate or volume of stormwater to neighboring private property.
5. 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.
6. A construction management plan will be required for the construction of the new homes.
7. Utility hook-ups are subject to review of the city engineer.
8. Both lots shall be subject to the City's tree ordinance.

Adopted this 21st day of July, 2015.

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 July 21, 2015, and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this ____ day of _____, 2015.

City Clerk

Minutes/Edina City Council/May 6, 2015

Ayes: Brindle, Staunton, Stewart, Swenson, Hovland
Motion carried.

VI.B. ZONING ORDINANCE AMENDMENT REGARDING LOT DIVISION PROCEDURES, REZONING PROCEDURES, SIDE YARD SETBACK REGULATIONS AND R-2 REGULATIONS – ORDINANCE NO. 2015-07 FIRST READING GRANTED

Community Development Director Presentation

Community Development Director Teague reported on a Zoning Ordinance Amendment regarding procedures for lot divisions and rezoning; side yard setback requirements; and, R-2 district regulations. The proposed Ordinance was the result of the recommendations from the Planning Commission and City Council Work Session held on February 17, 2015 regarding the City's rezoning procedure. Mr. Teague presented a summary of the following ten sections of the Ordinance: Section 1. Lot Division/Party Wall Division; Section 2. Window Well; Section 3. Plan Modifications; Sections 4. and 5. Procedure for Rezoning; Sections 6. and 7. Building Coverage, Side Yard Setback Requirements; Section 8. R-2 District Regulations; Section 9. Building Height; and, Section 10. Nonconforming R-2 Lots.

Staff answered questions of the Council relating to requirements for window wells and side yard setbacks. The Council discussed changing the wording for the definition of window well in Section 2. of the Ordinance and made clarifying suggestions for Second Reading.

Mayor Hovland opened the public hearing at 8:41 p.m.

Public Testimony

John Crabtree, 5408 Oaklawn Avenue, addressed the Council.

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

Ayes: Brindle, Staunton, Stewart, Swenson, Hovland
Motion carried.

The Council discussed the issue of developers infringing on neighboring properties and directed staff to add that topic to the work plan for the Planning Commission. Attorney Knutson read an accepted definition of window wells.

Member Swenson made a motion to grant First Reading to Ordinance No. 2015-07, Amending Chapters 32 and 36 of the Edina City Code as revised to include a clarifying definition of window wells. Member Stewart seconded the motion.

Ayes: Brindle, Staunton, Stewart, Swenson, Hovland
Motion carried.

VI.C. PRELIMINARY PLAT WITH LOT WIDTH AND AREA VARIANCES, 5825 ASHCROFT AVENUE, JEFFREY AND JANINE JOHNSON – RESOLUTION NO. 2015-49 ADOPTED

Community Development Director Presentation

Community Development Director Teague presented a request from Jeffrey and Janine Johnson to subdivide their property at 5825 Ashcroft Avenue into two lots. The existing home would be torn down, and two new single-family homes built on the new lots. Mr. Teague presented a map of the property and explained that both lots would gain access off Ashcroft Avenue. Within the neighborhood, the median lot area was 6,790 square feet, median lot depth was 135 feet, and the median lot width was 50 feet. The new lots meet the median width and depth, but would be just short of the median area. The primary issue for the Council to consider was whether the variance standards were met. Staff and the Planning Commission agree the standards were met and recommend approval.

Proponent Presentation

Jeffrey Johnson, 5825 Ashcroft Avenue, presented Hennepin County maps of the property and discussed each of the four questions required by City Code to approve a variance.

Minutes/Edina City Council/May 6, 2015

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