

# REPORT / RECOMMENDATION



**To:** MAYOR AND COUNCIL

**Agenda Item #:** IV.G.

**From:** Cary Teague, Community Development Director

**Action**   
**Discussion**   
**Information**

**Date:** November 3, 2014

**Subject:** Resolution No. 2014-114 Lot Division, 5320 Kelsey Terrace.

## Action Requested:

Adopt the attached resolution.

## Information / Background:

Mr. David Hendel on behalf of the property owners Paul and Jean Mooty is requesting to shift the existing lot line that divides the property at 5320 Kelsey Terrace and Outlot B of the Parkwood Knolls 26th Addition. Both properties are owned by the Mootys. The purpose of the request is to shift the side lot line to the north to make room for an addition to the existing home. The Outlot appears to be a leftover remnant of Parkwood Knolls 26th addition that ended up being platted as an Outlot. The Outlot originally appears as part of Lot 26 in the Preliminary Plat. (See plat on pages A6-A7 of the Planning Commission Staff Report.)

Planning Commission Recommendation: On October 22, 2014, the Planning Commission recommended approval of the Lot Division. Vote: 4 Ayes and 1 Nay.

## ATTACHMENTS:

- Resolution No. 2014-114
- Minutes of the October 22, 2014 Planning Commission meeting
- Planning Commission Staff Report, October 22, 2014



**RESOLUTION NO. 2014-114  
APPROVING A LOT DIVISION  
AT 5320 KELSEY TERRACE AND  
OUTLOT B PARKWOOD KNOLLS 26<sup>TH</sup> ADDITION**

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

Section 1. BACKGROUND.

- 1.01 Mr. David Hendel on behalf of the property owners Paul and Jean Mooty, is requesting to shift the existing lot line that divides the property at 5320 Kelsey Terrace and Outlot B of the Parkwood Knolls 26<sup>th</sup> Addition. Both properties are owned by the Mootys.
- 1.02 The purpose of the request is to shift the side lot line to the north to make room for an addition to the existing home.
- 1.03 The Outlot appears to be a leftover remnant of Parkwood Knolls 26<sup>th</sup> addition, that ended up being platted as an Outlot. The Outlot originally appears as part of Lot 26 in the Preliminary Plat.
- 1.04 The following described tract of land is requested to be divided:  
  
Lot 1, Block 2, Parkwood Knolls 14<sup>th</sup> Addition, Hennepin County Minnesota; and  
  
Outlot B, Parkwood Knolls 26<sup>th</sup> Addition.
- 1.05 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:  
  
See attached Exhibit A.
- 1.04 On October 22, 2014, the Planning Commission recommended approval of the lot division on a Vote of 4-1.

Section 2. FINDINGS

- 2.01 Approval is based on the following findings:
  1. Each unit has separate utility hook-ups.
  2. Several lot divisions have been approved by the City on this block.

Section 3. APPROVAL

NOW THEREFORE, it is hereby resolved by the City Council of the City of Edina, approves the Lot Division of 5320 Kelsey Terrace and Outlot B of the Parkwood Knolls 26<sup>th</sup> Addition.

Approval is subject to the following conditions:

1. The existing drainage and utility easement must be vacated prior to filing of the approving resolution with Hennepin County.

Adopted this \_\_\_ day of \_\_\_\_\_, 2014.

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 \_\_\_\_\_, 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

5320 Kelsey Terr.

### PROPOSED LEGAL DESCRIPTION:

*Lot 1, Block 2, PARKWOOD KNOLLS 14TH ADDITION, and that part of Outlot B, PARKWOOD KNOLLS 26TH ADDITION, which lies southwesterly of a line drawn from the most northerly corner of said Lot 1, to a point on the easterly line of said Outlot B, as shown on said PARKWOOD KNOLLS 26TH ADDITION, distant 21.89 feet northerly of the most southerly corner of said Outlot B, (as measured along said easterly line).*

outlot B

That part of Outlot B, PARKWOOD KNOLLS 26TH ADDITION, which lies northeasterly of a line drawn from the most northerly corner of Lot 1, Block 2, PARKWOOD KNOLLS 14TH ADDITION, to a point on the easterly line of said Outlot B, as shown on said PARKWOOD KNOLLS 26TH ADDITION, distant 21.89 feet northerly of the most southerly corner of said Outlot B, (as measured along said easterly line).

Commissioner Hobbs stated in his opinion its good that the City provides residents with a sidewalk facilities plan. Commissioners and Chair Staunton agreed, adding it provides transparency.

### Motion

**Commissioner Olsen moved approval of the Comprehensive Plan Amendment: Sidewalk and Bike Facilities Plan. Commissioner Carr seconded the motion. All voted aye; motion carried.**

Chair Staunton reiterated he supports the amendment, adding transparency is important and the Sidewalk and Bike Facilities Plan provides that transparency. Staunton further noted all proposed sidewalks will be noticed by the City and heard by the City Council for review and approval. This also provides residents with the ability to share their concerns or support for sidewalks in their area.

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## VII. REPORTS/RECOMMENDATIONS

### A. Lot Division. David Hendel. 5320 Kelsey Terrace, Edina, MN

#### Staff Presentation

Planner Teague reported that Mr. David Hendel on behalf of the property owners Paul and Jean Mooty, is requesting to shift the existing lot line that divides the property at 5320 Kelsey Terrace and Outlot B of the Parkwood Knolls 26<sup>th</sup> Addition. Both properties are owned by the Mootys. The purpose of the request is to shift the side lot line to the north to make room for an addition to the existing home. The Outlot appears to be a leftover remnant of Parkwood Knolls 26<sup>th</sup> addition, that ended up being platted as an Outlot. The Outlot originally appears as part of Lot 26 in the Preliminary Plat.

Planner Teague concluded t that staff recommends that the City Council approve the Lot Division of 5320 Kelsey Terrace and Outlot B of Parkwood Knolls 26<sup>th</sup> Addition subject to the following findings:

1. The proposed lot line adjustment does not create a new lot.
2. The Outlot and 5320 Kelsey Terrace are both held under the same ownership. The properties appear to be one lot.
3. The existing utilities on the Outlot would not be impacted.

Approval is also subject to the following condition:

1. The existing drainage and utility easement must be vacated prior to filing of the approving resolution with Hennepin County.

P.C.  
10/22/14

## **Discussion**

Commissioners questioned why minor lot line rearrangements and party wall divisions can't be accomplished administratively. Teague explained that at this time Code requires Commission and Council review.

Commissioner Lee commented that in her opinion the lot should be combined as one lot; not continue as two. Teague responded that would require a re-platting and at this time the property owner has requested this action.

## **Motion**

**Commissioner Platteter moved to recommend lot division approval based on staff findings and subject to staff conditions. Commissioner Hobbs seconded the motion. Ayes; Hobbs, Olsen, Carr, Platteter, Forrest, Staunton. Nay; Lee. Motion carried.**



## PLANNING COMMISSION STAFF REPORT

Originator <b>Cary Teague</b> Community Development Director	Meeting Date <b>October 22, 2014</b>	Agenda # <b>VII.A.</b>
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### INFORMATION & BACKGROUND

#### Project Description

Mr. David Hendel on behalf of the property owners Paul and Jean Mooty, is requesting to shift the existing lot line that divides the property at 5320 Kelsey Terrace and Outlot B of the Parkwood Knolls 26<sup>th</sup> Addition. (See property location on pages A1–A3.) Both properties are owned by the Mootys. The purpose of the request is to shift the side lot line to the north to make room for an addition to the existing home. (See the proposed lot line shift on pages A4–A5.) The Outlot appears to be a leftover remnant of Parkwood Knolls 26<sup>th</sup> addition, that ended up being platted as an Outlot. The Outlot originally appears as part of Lot 26 in the Preliminary Plat. (See plat on pages A6-A7.)

#### Surrounding Land Uses

The surrounding properties and land uses include single-family homes (See pages A1– A3.)

#### Existing Site Features

Single-family home and vacant Outlot.

#### Planning

Guide Plan designation: Low-density residential  
Zoning: R-1, Single-family residential

#### Primary Issue

- **Is the proposed lot division reasonable?**

Yes. The resulting lot line shift does not create an additional lot. The division makes the existing lot at 5320 Kelsey Terrace slightly larger from 20,528 square feet to 22,201

square feet. The adjacent Outlot goes from 8,016 square feet to 6,343 square feet. There is a 26-inch storm sewer that runs through the Outlot. This storm sewer line would remain. (See pages A4-A5.) There is a 5-foot drainage and utility easement running along the side lot line that would need to be vacated prior to any building addition being built. It is believed that there are no utility lines located within the easement. If there are, they would need to be relocated on to the Outlot.

### **Staff Recommendation**

Recommend that the City Council approve the Lot Division of 5320 Kelsey Terrace and Outlot B of Parkwood Knolls 26<sup>th</sup> Addition.

Approval is subject to the following findings:

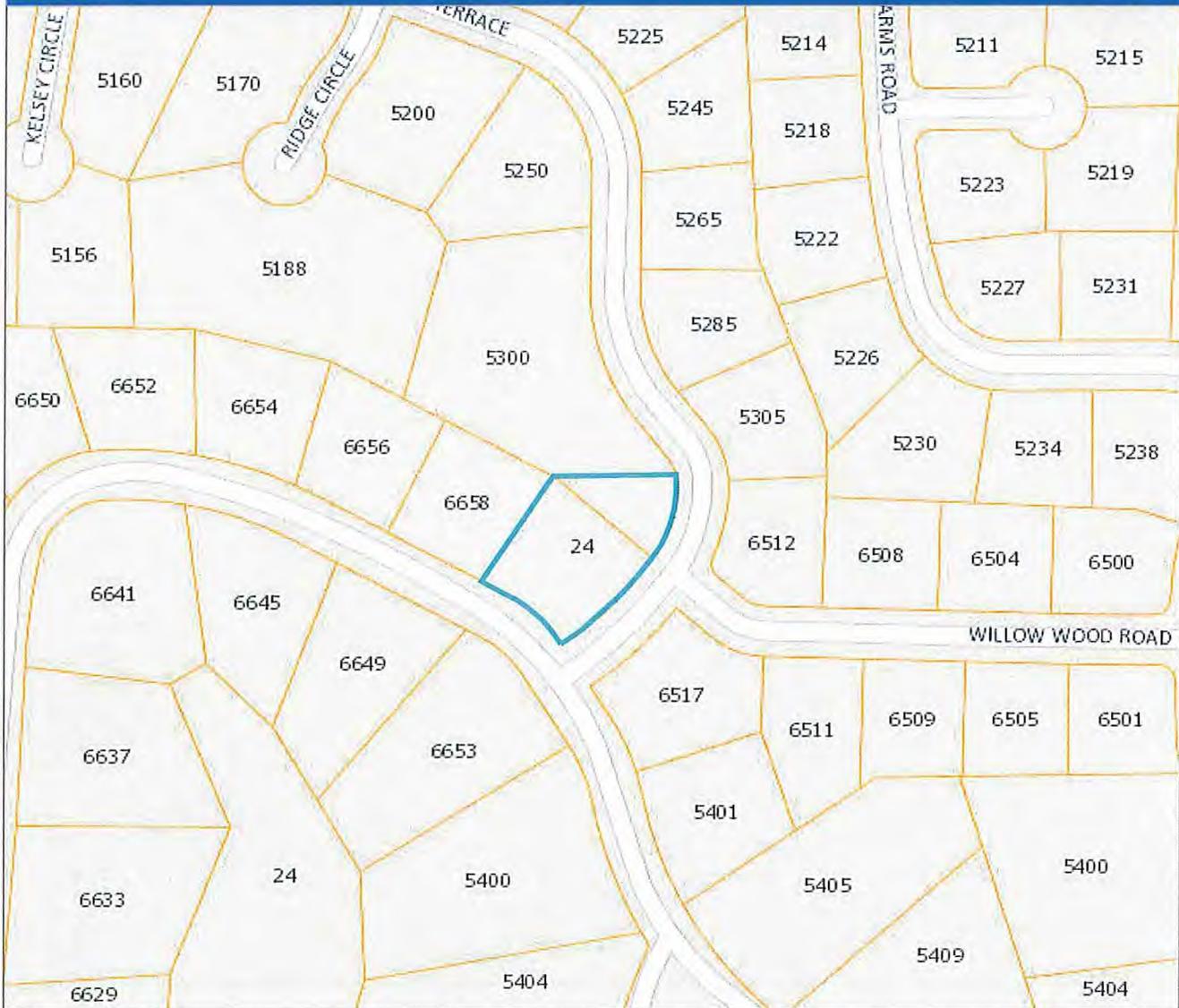
1. The proposed lot line adjustment does not create a new lot.
2. The Outlot and 5320 Kelsey Terrace are both held under the same ownership. The properties appear to be one lot.
3. The existing utilities on the Outlot would not be impacted.

Approval is subject to the following condition:

1. The existing drainage and utility easement must be vacated prior to filing of the approving resolution with Hennepin County.

**Deadline for a city decision:** November 18, 2014





<p><b>Parcel ID:</b></p> <p><b>Owner Name:</b></p> <p><b>Parcel Address:</b></p> <p><b>Property Type:</b></p> <p><b>Homestead:</b></p> <p><b>Parcel Area:</b></p>	<p><b>A-T-B:</b></p> <p><b>Market Total:</b></p> <p><b>Tax Total:</b></p> <p><b>Sale Price:</b></p> <p><b>Sale Date:</b></p> <p><b>Sale Code:</b></p>	<p>Map Scale: 1" ≈ 200 ft.</p> <p>Print Date: 10/17/2014</p>  <p>This map is a compilation of data from various sources and is furnished "AS IS" with no representation or warranty expressed or implied, including fitness of any particular purpose, merchantability, or the accuracy and completeness of the information shown.</p> <p>COPYRIGHT © HENNEPIN COUNTY 2014</p> 
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Handwritten mark



**Parcel ID:**

**Owner Name:**

**Parcel Address:**

**Property Type:**

**Home-stead:**

**Parcel Area:**

**A-T-B:**

**Market Total:**

**Tax Total:**

**Sale Price:**

**Sale Date:**

**Sale Code:**

Map Scale: 1" ≈ 50 ft.  
Print Date: 10/17/2014



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A3



# PROPOSED LOT DIVISION FOR PAUL & JEAN MOOTY RESIDENCE



**PROPOSED**

AREAS:  
 OVERALL PARCEL AREA: 28,544.5 Sq. Ft.  
 Lot 1, Block 2, AREA: 20,528.0 Sq. Ft.  
 Outlot B, AREA: 8,016.5 Sq. Ft.  
 New "Building Parcel" AREA: 22,201.0 Sq. Ft.  
 Remnant Outlot B, AREA: 6,343.0 Sq. Ft.

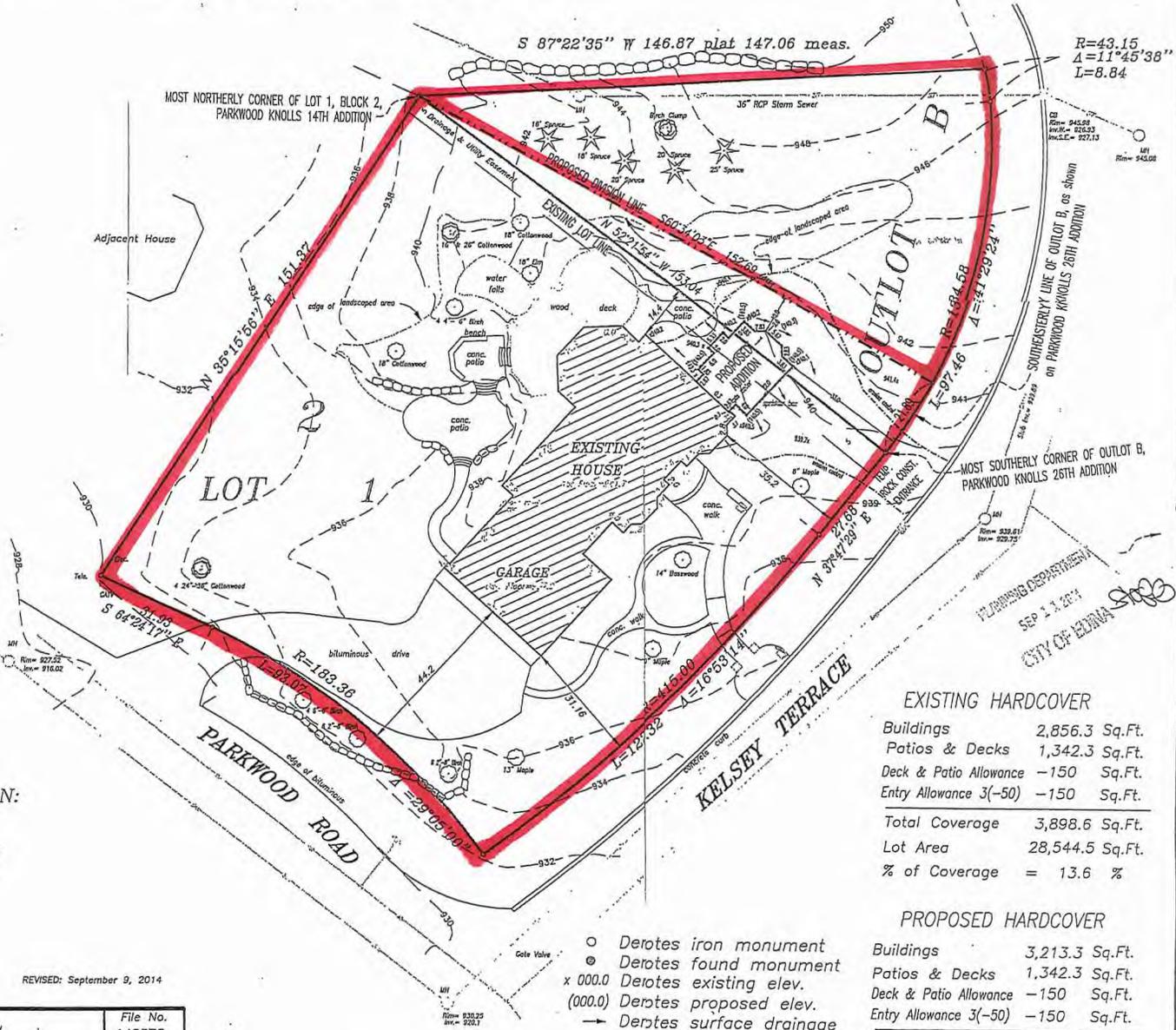


EXISTING LEGAL DESCRIPTION:  
 LOT 1, BLOCK 2, PARKWOOD KNOLLS 14TH ADDITION  
 ALSO  
 OUTLOT B, PARKWOOD KNOLLS 26TH ADDITION.

PROPOSED LEGAL DESCRIPTION:  
 Lot 1, Block 2, PARKWOOD KNOLLS 14TH ADDITION,  
 and that part of Outlot B, PARKWOOD KNOLLS 26TH  
 ADDITION, which lies southwesterly of a line  
 drawn from the most northerly corner of said  
 Lot 1, to a point on the easterly line of said  
 Outlot B, as shown on said PARKWOOD KNOLLS  
 26TH ADDITION, distant 21.89 feet northerly  
 of the most southerly corner of said Outlot B,  
 (as measured along said easterly line).

PROPOSED DRAINAGE & UTILITY EASEMENT:  
 An easement for drainage and utility purposed over,  
 under and across those parts of Lot 1, Block 2,  
 PARKWOOD KNOLLS 14TH ADDITION, and Outlot B,  
 PARKWOOD KNOLLS 26TH ADDITION, lying within a 5.00 foot  
 strip of property the northeasterly line of which is  
 drawn from the most northerly corner of said Lot 1, to a  
 point on the easterly line of said Outlot B, as shown on  
 said PARKWOOD KNOLLS 26TH ADDITION, distant 21.89 feet  
 northerly of the most southerly corner of said Outlot B,  
 (as measured along said easterly line).

PROPOSED DRAINAGE & UTILITY EASEMENT VACATION:  
 That easement for drainage and utility purposes, over and  
 across Lot 1, Block 2, PARKWOOD KNOLLS 14TH ADDITION, as  
 dedicated on said plat of PARKWOOD KNOLLS 14TH ADDITION.



5320 KELSEY TERRACE  
 EDINA, MN 55436

REVISED: September 9, 2014

EXISTING HARDCOVER

Buildings	2,856.3 Sq.Ft.
Patios & Decks	1,342.3 Sq.Ft.
Deck & Patio Allowance	-150 Sq.Ft.
Entry Allowance 3(-50)	-150 Sq.Ft.
Total Coverage	3,898.6 Sq.Ft.
Lot Area	28,544.5 Sq.Ft.
% of Coverage	= 13.6 %

PROPOSED HARDCOVER

Buildings	3,213.3 Sq.Ft.
Patios & Decks	1,342.3 Sq.Ft.
Deck & Patio Allowance	-150 Sq.Ft.
Entry Allowance 3(-50)	-150 Sq.Ft.
Total Coverage	4,255.6 Sq.Ft.
Lot Area	28,544.5 Sq.Ft.
% of Coverage	= 14.9 %

- Denotes iron monument
- ⊙ Denotes found monument
- x 000.0 Denotes existing elev.
- (000.0) Denotes proposed elev.
- Denotes surface drainage

NOTE: ADDITION TO MATCH EXISTING FLOOR ELEVATIONS

David Hendel Construction, LLC

DEMARS-GABRIEL  
 LAND SURVEYORS, INC.  
 6875 WASHINGTON AVE. SO.  
 SUITE 209  
 EDINA, MN 55430  
 Phone: (952) 767-0487  
 Fax: (952) 767-0490

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

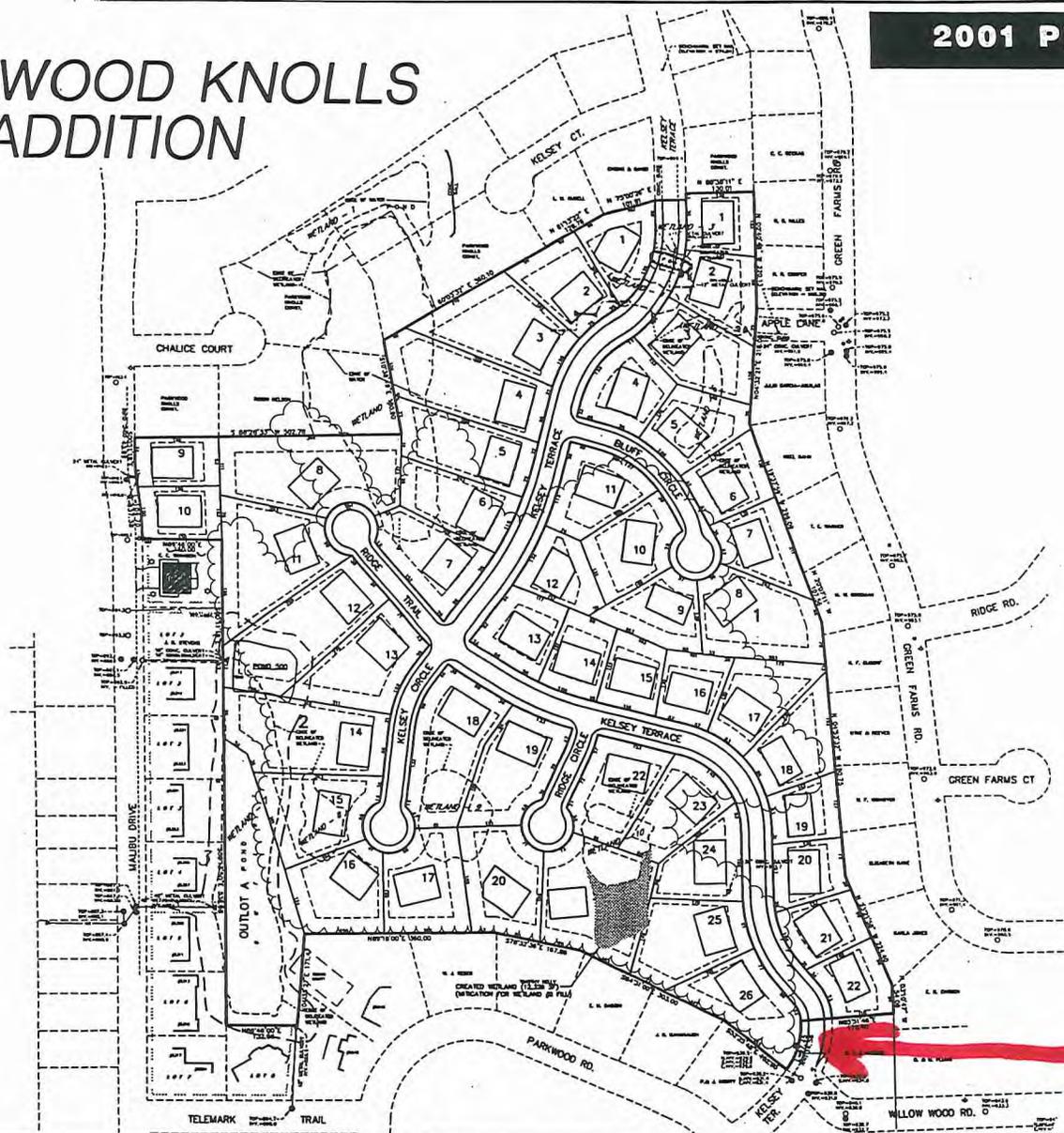
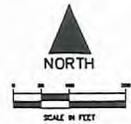
David E. Crook  
 Date: September 4, 2014

Minn. Reg. No. 22414

File No.	14237C
Book-Page	
Scale	1"=20'

# PARKWOOD KNOLLS 26th ADDITION

**2001 PLAN**



BLOCK	LOT	AREA (SQ FT)	BLOCK	LOT	AREA (SQ FT)
1	1	14823	2	8	23300
1	2	20205	2	7	25438
1	3	24783	2	6	48561
1	4	21047	2	5	14788
1	5	31731	2	10	15308
1	6	18368	2	11	30976
1	7	18818	2	12	20271
1	8	33842	2	13	29487
1	9	20181	2	14	46282
1	10	23741	2	15	28898
1	11	23136	2	16	25055
1	12	17987	2	17	28037
1	13	18798	2	18	37022
1	14	18208	2	19	29825
1	15	14887	2	20	28472
1	16	15847	2	21	41104
1	17	23142	2	22	26135
1	18	22709	2	23	24099
1	19	14725	2	24	20702
1	20	15842	2	25	29084
1	21	18802	2	26	28177
1	22	18228	OUTLOT A		52783
2	1	16384			
2	2	22332			
2	3	34826			
2	4	37182			
2	5	28258			

*Site*

PRELIMINARY

AK

DESIGNED: TJC	I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A QUALY REGISTERED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA. BROD J. CARROLL, P.E. DATE 7-11-01 REG. NO. 23137
DRAWN: PSH	
CHECKED BY:	
NO. DATE DESCRIPTION OF REVISIONS	
1 7-11-01 PRELIMINARY PLAN SUBMITTAL	

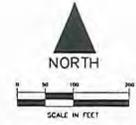
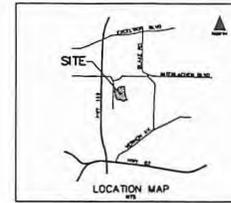
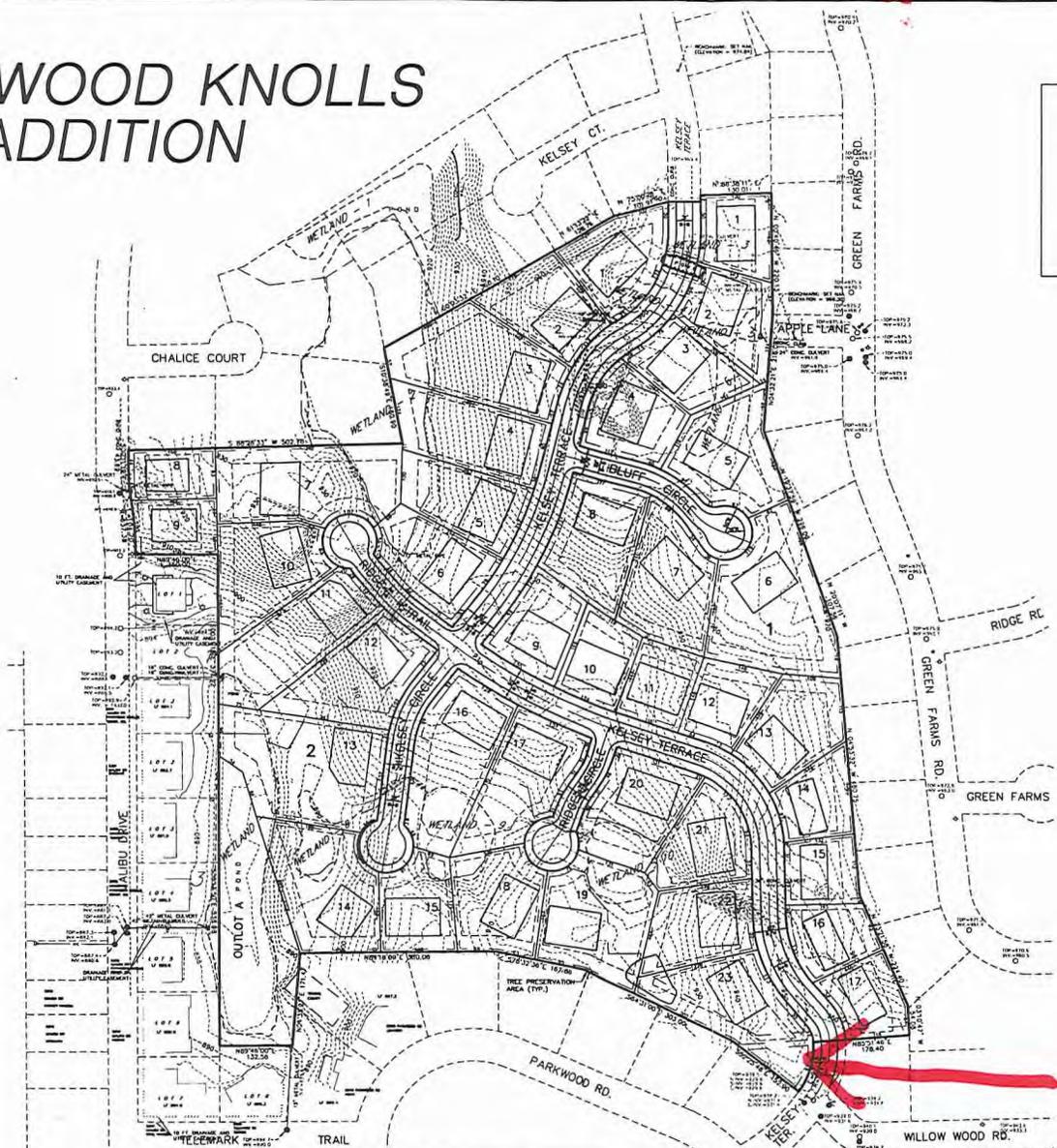
**Roger A. Anderson & Associates, Inc.**  
 CIVIL ENGINEERING CONSULTANTS  
 12400 116th AVENUE SOUTH, SUITE 20, PLYMOUTH, MN 55441 TEL (763) 282-1884 FAX (763) 282-1889

**PARKWOOD KNOLLS 26TH**  
 EDINA, MINNESOTA  
 HANSEN COMPANIES

DEVELOPMENT PLAN

COMPL. NO. PLOTTED: 0508  
 DRAWING NO. 2 OF 8

# PARKWOOD KNOLLS 26th ADDITION



OWNER/DEVELOPER:  
HANSEN COMPANIES  
5056 LINCOLN DRIVE, SUITE 400  
EDINA, MN 55436  
(952) 912-9895

ENGINEER:  
ANDERSON ENGINEERING OF MINNESOTA, LLC  
13400 15TH AVE N, SUITE B  
PLYMOUTH, MN 55441  
ROGER ANDERSON  
(763) 383-1084

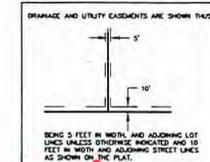
SURVEYOR:  
EGAN, FIELD & NOWAK  
7415 WAYZATA BLVD., SUITE 200  
MINNEAPOLIS, MN 55426  
JACK BOLKE  
(952) 546-6837

WETLAND SPECIALIST:  
APPLIED ENVIRONMENTAL SERVICES  
13400 15TH AVE N, SUITE B  
PLYMOUTH, MN 55441  
WAYNE E. JACOBSSON  
(763) 383-1084

**LOT SUMMARY:**

BLOCK	LOT	AREA (SF)	BLOCK	LOT	AREA (SF)
1	1	18750	2	8	29100
1	2	24640	2	7	47291
1	3	29948	2	8	14779
1	4	29100	2	8	15349
1	5	34307	2	10	32791
1	6	33323	2	11	38308
1	7	35313	2	17	36953
1	8	33789	2	13	34233
1	9	23062	2	14	41429
1	10	18156	2	15	23190
1	11	17123	2	16	45528
1	12	18810	2	17	36033
1	13	28071	2	18	30355
1	14	18021	2	19	43201
1	15	18648	2	20	32453
1	16	18881	2	21	26292
1	17	48338	2	22	27848
2	1	27160	2	23	39918
2	2	27079	OUTLOT A	56763	
2	3	44312			
2	4	34365			
2	5	27547			

MEAN LOT AREA = 29,994 SF  
MEDIAN LOT AREA = 28,484.5 SF



**LEGAL DESCRIPTION:**

OUTLOT A, PARKWOOD KNOLLS 25TH ADDITION, AND OUTLOT 1, PARKWOOD KNOLLS 15TH ADDITION, (PIN) 30-117-21-34-0030 AND 30-117-21-34-0017

**SITE DATA:**

EXISTING ZONING = R-1  
TOTAL PLAT AREA = 1,459,472 SF (33.50 ACRES)  
TOTAL R/W AREA = 202,949 SF  
TOTAL LOT AREA = 1,199,760 SF (SEE LOT SUMMARY)  
OUTLOT AREA = 56,763 SF  
TOTAL UNITS = 40  
MIN. LOT AREA = 9000 SF  
MIN. LOT WIDTH (Ø SETBACK) = 75'  
MIN. LOT DEPTH = 120'  
SETBACKS:  
FRONT = 30'  
REAR = 30'  
SIDE(S) = 10'  
CORNER / STREET = 30'  
SITE BOUNDARY AND TOPOGRAPHICAL SURVEY BY EGAN, FIELD & NOWAK SURVEYORS.

INDEX	
SHEET	DESCRIPTION
1	PRELIMINARY PLAT
2	PRELIMINARY GRADING, DRAINAGE & EROSION CONTROL PLAN
3	PRELIMINARY UTILITY PLAN
4-6	PRELIMINARY PLAN & PROFILE
7	DETAIL SHEET
FIGURE 6	WETLAND LOCATIONS & MITIGATION AREAS

A7

Site

NO.	DATE	DESCRIPTION OF REVISIONS
2	4-02-02	REVISED TO 40 LOT LAYOUT
1	7-11-01	PRELIMINARY PLAT SUBMITTAL

DESIGNED: TJC  
DRAWN: PSH  
CHECKED BY: TROY J. GAMMEL, P.E.  
DATE: 7-11-01 REC. NO. 23137

Anderson Engineering of Minnesota, LLC  
CIVIL ENGINEERING CONSULTANTS  
13400 15th Avenue North, Suite B, Plymouth, MN 55441 TEL: (763) 383-1084 FAX: (763) 383-1089

PARKWOOD KNOLLS 26TH  
EDINA, MINNESOTA  
HANSEN COMPANIES

PRELIMINARY PLAT  
CONTRACT NO. 9588  
DRAWING NO.  
1 OF 7

