REPORT/RECOMMENDATION

To:	**MAYOR AND COUNCIL**	**Agenda Item**	**Item No. VI.B.**
From:	**Cary Teague, Community Development Director**	☒	**Action**
		☐	**Discussion**
Date:	**June 19, 2012**	☐	**Information**
Subject:	**PUBLIC HEARING – CONDITIONAL USE PERMIT – To construct a new home one-foot above the first floor elevation of the exiting home at 4805 East Sunnyslope from Doug and Abby Power, Resolution No. 2012-85**		
Deadline for a City Decision:	**July 14, 2012**		

ACTION REQUESTED:
Adopt the attached Resolution No. 2012-85 approving the Conditional Use Permit.

INFORMATION/BACKGROUND:
The applicants are requesting a Conditional Use Permit to tear down an existing house and construct a new home at 4805 East Sunnyslope Road, to allow the first floor elevation of the new home to exceed the first floor elevation of the existing home by more than one foot. The applicant is proposing to raise the first floor elevation 4.68 feet above the existing first floor elevation. (See attached Planning Commission staff report for the complete details on the request.)

Planning Commission Review: On June 13, 2012, the Planning Commission recommended approval of the requested Conditional Use Permit. Vote: 6 Ayes and 1 Nay. (See the attached minutes.) The Planning Commission added the following conditions that have been included in the attached Resolution:

1. The new building plans and elevations submitted at the Planning Commission meeting on June 13, 2012 be entered into the record.

2. The city engineer shall review the proposed grading and drainage plan and make recommendation prior to the City Council meeting.

The city engineer has reviewed the proposed plans and has submitted the attached memo.

ATTACHMENTS:

- Memo from the city engineer dated June 14, 2012
- Building elevations submitted at the Planning Commission meeting on June 13, 2012.
- Resolution No. 2012-85 approving the Conditional Use Permit
- Planning Commission Staff Report, June 13, 2012
- Draft minutes from the June 13, 2012 Edina Planning Commission meeting

Vice Chair Staunton acknowledged the following e-mail that were present to the Commission June 13th:

- **5521 Dever Drive**
- **5528 Woodcrest Drive**
- **5501 Oaklawn**
- **5600 Woodcrest Drive**

All voted aye; motion carried.

D. Conditional Use Permit to construct a new home one-foot above the first floor elevation of the existing home at 4805 East Sunnyslope Road for Doug and Abby Power.

Planner Presentation

Planner Aaker told the Commission Doug and Abby Power, are requesting a Conditional Use Permit to tear down an existing house and construct a new home at 4805 East Sunnyslope. A Conditional Use Permit is requested to allow the first floor elevation of the new home to exceed the first floor elevation of the existing home by more than one foot. The applicant is proposing to raise the first floor elevation 4.68 feet above the existing first floor elevation. The existing first floor is at 895.91 feet with an allowed increase in height by code to 896.91 feet. The proposed first floor will be at a height of 900.58 feet.

The property is a penninsula backing up to Minnehaha Creek and falls within the 1% annual chance of flooding.. The flood protection elevation along that portion of the creek is at 888.1 feet. The ordinance requires that all basement/lowest floors be elevated to a minimum 2 feet above the flood protection elevation. The existing basement elevation of the home is at 887 or 1.1 feet below the flood protection elevation. The proponents are proposing a basement elevation of 890.1 to comply with the minimum floodplain requirements.

The ordinance allows the first floor to be raised by one foot or to an elevation of 896.91 feet. The low floor must be no lower than two feet above 888.1, which would result in a 6' 10" height difference between the basement floor and the first floor. Modern building practices generally include 18" floor trusses resulting in a basement ceiling height of 5' 4" without the benefit of a Conditional Use Permit.

The builder has provided examples of other homes they have built within Edina. The home is designed similar in style to 5200 Mirror Lakes Drive, 4600 Woodland Road and 4617 Tower Street.

Planner Aaker concluded that staff recommends that the City Council approve the Conditional Use Permit for Doug and Abby Power for property located at 4805 East Sunnyslope Road. The Conditional Use Permit allows the new home to have a first floor elevation 3.67 feet above the first floor elevation of the existing home.

Approval is based on the following findings:

1. The proposal meets the Conditional Use Permit conditions of the Zoning Ordinance.
2. The proposal meets all applicable Zoning Ordinance requirements.
3. The proposed new home is in character with this neighborhood.

Approval is also subject to the following conditions:

1. The site must be developed and maintained in conformance with the following plans:

    - Survey date stamped May 14, 2012.
    - Building plans and elevations date stamped May 14, 2012.

2. Submit a copy of the Minnehaha Creek Watershed District permit. The City may require revisions to the approved plans to meet the district's requirements.

3. Final grading and drainage plans are subject to review and approval of the city engineer prior to issuance of a building permit. Drainage patterns may not be directed to adjacent properties.

Appearing for the Applicant

Doug and Abby Power, applicants, Charles Mooty, property owner, Nate Wissink, Elevation Homes.

Applicant Presentation

Mr. Power introduced himself to the Commission informing them that at the present time he and his family were renting a home on Drexel Avenue while they go through the Conditional Use Permit and building permit process. Power said he was very excited to build a new house in Edina.

Mr. Wissink addressed the Commission and highlighted aspects of the Conditional Use Permit. Wissink explained that given that the subject property is in the flood plain Condition 1 was addressed allowing the lower level floor to be two (2) feet above the flood plain elevation. Wissink said the applicant is proposed a basement elevation of 890.1 to comply with the minimum floodplain requirements. Continuing, Wissink informed the Commission the Sunnyslope neighborhood is characterized by hilly

topography, large home site and a variety of architectural styles of home ranging from ramblers to ½ story home and full two story homes. Wissink pointed out the design of the proposed home is a double gable, 1.5 story home with walkout lower level.

Discussion/comments

Vice Chair Staunton asked what the elevation is along this portion of the creek. Wissink responded it is roughly 881.1 feet. Staunton said if he understands the request correctly the "new" basement elevation as proposed is 890.1 feet which appears high. Wissink said modern building practices tend to include 18" floor trusses and when you add the floor material dimensions etc. height is increased.

Commissioner Forrest commented that in her opinion if she understands the plans correctly that the property owner to the northwest will be impacted by the proposed grade changes, retaining wall and site lines. Mr. Wissink agreed adding they are working very closely with the neighbor to the north to mitigate any issues they may have.

Vice-Chair Staunton opened the public hearing

Public Comment

Roxane Lehmann 4801 E Sunnyslope Road told the Commission she was the immediate neighbor to the northwest. Lehmann said she really likes the applicants but does have concerns; especially with the auto court. Lehmann said the auto court is very close to the common property line. She acknowledged she has been working closely with the applicants and their builder; however, she reiterated she has concerns about potential water issues from not only the creek but water run-off issues from the new house and auto court. Lehmann also pointed out 4805 is at a higher elevation and that the incline in this area between properties is apparent. Continuing, Lehmann reiterated she worries about already being in a 100 year flood plain and now is concerned that the adjacent property which is at a higher elevation has an auto court so close to the common line. Concluding, Lehmann said that aesthetically this is a lovey area with a very spacious feel between the homes will now be lost. The "feel" of the area will change.

Vice-chair Staunton asked for clarification if 4805 is at a higher elevation then the neighboring property at 4801 Sunnyslope. Planner Teague clarified that 4805 is at a higher elevation.

Vice-Chair closed asked for a motion to close the public hearing.

Commissioner Platteter moved to close the public hearing. Commissioner Fischer seconded the motion. All voted aye; motion carried.

Continued Discussion/Comments

Commissioner Fischer asked Commissioner Schroeder if in his opinion the drainage has been appropriately handled. Commissioner Schroeder said that it appears to him they are doing the right thing. Vice-Chair Staunton asked Planner Teague to clarify how drainage is addressed.

Planner Teague explained when a building permit is applied for the City's Engineering Department reviews all plans with respect to drainage and drainage patterns. Teague said if he recalls the ordinance correctly new construction cannot negatively impact the present water flow by directing more water run-off onto adjoining properties. Continuing, Teague said he would ask City Engineer Houle to draft a memo reflecting his opinion on drainage for this property. Staunton said he recalls that the rate of water run-off on adjoining properties can't be increased. Teague agreed, adding usually with new construction measures are implemented that actually improve the drainage patterns.

Commissioner Platteter acknowledged the grade change and swale to handle water run-off and asked Mr. Wissink if there are plans to landscape this area. It was acknowledged by the landscape architect that this area would be landscaped; probably with coniferous plantings, adding there is a "pinch point", at the southwest corner where the drainage plan will be established, adding it's possible a French drain may be developed or a dry well system.

Commissioner Schroeder noted that criteria #4 of the Conditional Use Permit deals with mass. Schroeder pointed out that building elevations were not provided for all elevations; especially from the creek. Schroeder said in his opinion not only is the street scape important but how the building looks from the public water ways was also important. Schroeder said without these elevations it is difficult to make an educated decision on mass. Commissioner Scherer agreed. She also noted the lots along Browndale and Sunnyside Road on the other side of the creek will have a view of the proposed new house, adding she would also like to see this elevation.

Planner Teague said he agreed, adding if the Commission wasn't comfortable in making a decision without those elevations they should continue this item to the next meeting of the Commission.

Charles Mooty, property owner told the Commission in his opinion the houses on the opposite side of the creek are at a higher elevation than the subject site. Mooty said in his opinion, the house as proposed is a good house and this is a wonderful opportunity to upgrade this lot.

Mr. Power said at this time they are renting their current home on Drexel and would like to have their house completed at the time their lease expires. Mrs. Power said that the

house plans before them will be built as indicated; however, with not owning the property all elevations haven't been completed.

Mr. Wissink entered into the official record elevations of the proposed new house from the south, east, west (without garage) and north. Commissioner Schroeder said in his opinion these elevations can be accepted as an amendment to the packet. Schroeder said in his opinion the Commission can proceed on this request because relevant elevations have been received.

Commissioner Forrest stated she is still concerned. She said in her opinion (even though the applicants and neighbor are working together) this new house creates a significant change; not only with drainage patterns but visually as well. Forrest said the auto court is very close; reiterating this will be a big change for the neighbor to the northwest.

Commissioner Fischer said he agrees this is will a change; however, he noted that it is garage to garage. Not living space to garage.

A discussion ensued on the Conditional Use Permit process with Commissioners acknowledging that this is a change for neighboring properties; however, the purview of the Commission is to determine if a Conditional Use Permit is warranted to elevate the house from the flood plain. It was pointed out that #1 was met and with the addition of building elevations #4 was met.

Motion

Commissioner Schroeder moved to recommend Conditional Use Permit approval based on the additional information that was provided to the Commission this evening and that the additional drawings provided to us tonight be submitted as part of the official public record. Recommended approval is also based on staff findings and subject to staff conditions. Commissioner Platteter seconded the motion. Ayes; Scherer, Schroeder, Platteter, Carpenter, Fischer, Staunton. Nay; Forrest.

It was also suggested that before the meeting of the Edina city Council that the City engineer draft a memo indicating his opinions on the CUP. It was further suggested that the applicant continue to work with the neighbors to the west; Mr. and Mrs. Lehmann

CITY OF EDINA

Engineering Department • Phone 952-826-0371
Fax 952-826-0392 • www.CityofEdina.com

MEMO

Date: June 14, 2012

To: Cary Teague – Community Development Director

From: Wayne D. Houle – Director of Engineering

Re: Review of 4805 Sunnyslope Road East

Engineering is recommending the following design be incorporated into the final construction plans prior to issuance of a permit:

- Revise the grading plan to incorporate a drainage swale within the property along the northwesterly property line.
  - Grade drainage swale to drain front area to Sunnyslope Road East and rear area to Minnehaha Creek.
  - An extension of the retaining wall to the southwest will be required to lessen the slope of the embankment from the driveway to the side property line.
  - Revise the driveway at the garage to drain pavement towards Minnehaha Creek.

G:\PW\ADMIN\COMM\EXTERNAL\GENERAL CORR BY STREETS\S Streets\4805 Sunnyslope\20120614 WH to CT Review of 4805 Sunnyslope Road East.doc

RESOLUTION NO. 2012-85
APPROVING A CONDITIONAL USE PERMIT AT 4805 EAST SUNNYSLOPE ROAD FOR DOUG AND ABBY POWER

City of Edina

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

Section 1. BACKGROUND.

1.01 The applicant is requesting a Conditional Use Permit to tear down and construct a new home at 4805 East Sunnyslope Road. A Conditional Use Permit is requested to allow the first floor elevation of the new home to exceed the first floor elevation of the existing home by more than one foot. Specifically the applicant would like to raise the first floor elevation 4.68 feet above the existing first floor elevation.

1.02 The property is legally described as follows:

See attached Exhibit A

1.03 On June 13, 2012, the Planning Commission recommended approval of the conditional use permit. Vote: 6 Ayes and 1 Nays.

Section 2. FINDINGS

2.01 Approval is based on the following findings:

1. The proposal meets the Conditional Use Permit conditions of the Zoning Ordinance.
2. The proposal meets all applicable Zoning Ordinance requirements.
3. The homes in the area have a variety of height, mass and scale.
4. The proposed new home is in character with this neighborhood.

Section 3. APPROVAL

NOW THEREFORE, it is hereby resolved by the City Council of the City of Edina, approves the Conditional Use Permit to allow construction of a new home at 4805 East Sunnyslope Road, subject to the following conditions:

1. The site must be developed and maintained in conformance with the following plans:
   - Survey date stamped May 14, 2012.
   - Building plans and elevations date stamped May 14, 2012.
   - Building plans and elevations submitted at the Planning Commission meeting on June 13, 2012.

2. Submit a copy of the Minnehaha Creek Watershed District permit. The City may require revisions to the approved plans to meet the district's requirements.

3. Final grading and drainage plans are subject to review and approval of the city engineer prior to issuance of a building permit. The plans must include the conditions outlined in the city engineer's memo dated June 14, 2012. Drainage patterns may not be directed to adjacent properties.

Adopted by the city council of the City of Edina, Minnesota, on June 19, 2012.

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 June 19, 2012, and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this ____ day of _____, 2012.

_____
City Clerk

PLANNING COMMISSION STAFF REPORT

Originator **Cary Teague** **Planning Director**	Meeting Date **June 13, 2011**	Agenda # **VI.D**

Recommended Action: Approve a Conditional Use Permit to allow the new first floor elevation of a home to exceed the 1 foot maximum increase allowed by ordinance.

Project Description:

A Conditional Use Permit request to allow the first floor elevation of a new home to be 4.68 feet higher than the existing first floor of the home to be replaced, (3.68 feet higher than allowed by ordinance), due to the floodplain elevation imposed on the property located at 4805 East Sunnyslope Road.

INFORMATION & BACKGROUND

Doug and Abby Power, are requesting a Conditional Use Permit to tear down an existing house and construct a new home at 4805 East Sunnyslope. (See site location on pages A1–A3.) A Conditional Use Permit is requested to allow the first floor elevation of the new home to exceed the first floor elevation of the existing home by more than one foot. The applicant is proposing to raise the first floor elevation 4.68 feet above the existing first floor elevation. (See applicant narrative and plans on pages A4–A12.). The existing first floor is at 895.91 feet with an allowed increase in height by code to 896.91 feet. The proposed first floor will be at a height of 900.58 feet.

The property is a penninsula backing up to Minnehaha Creek and falls within the 1% annual chance of flooding, (the 100 year floodplain). The flood protection elevation along that portion of the creek is at 888.1 feet, (see floodplain documentation on pages A13-A30) . The ordinance requires that all basement/lowest floors be elevated to a minimum 2 feet above the flood protection elevation. The existing basement elevation of the home is at 887 or 1.1 feet below the flood protection elevation. The proponents are proposing a basement elevation of 890.1 to comply with the minimum floodplain requirements.

The ordinance allows the first floor to be raised by one foot or to an elevation of 896.91 feet. The low floor must be no lower than two feet above 888.1, which would result in a 6' 10" height difference between the basement floor and the first floor. Modern building practices generally include 18" floor trusses resulting in a basement ceiling height of 5' 4" without the benefit of a Conditional Use Permit.

The builder has provided examples of other homes they have built within Edina. The home is designed similar in style to 5200 Mirror Lakes Drive, 4600 Woodland Road and 4617 Tower Street, (see attached photos of similar projects by the applicant's builder on pages A31-A43).

Surrounding Land Uses

Northerly:	Single-family residential homes; zoned and guided low-density residential
Easterly:	Minnehaha Creek
Southerly:	Minnehaha Creek
Westerly:	Single-family residential homes; zoned and guided low-density residential

The applicant has provided an inventory of homes within the neighborhood illustrating the variety of housing styles present and the diverse topography of lots within the vicinity, (see pages A44-A76). The home has been designed as a 1.5 story walk-out with a connected link between the main house and the garage. The home complies with all of the zoning ordinance requirements even given the challenges of maintaining a 50 foot setback from the Creek edge and given that over-all height is measured and must be maintained from average existing grade even though the home is proposed to be elevated higher than the existing home.

Existing Site Features

The existing 37,556 square foot lot contains a rambler style single-family home built in 1953, and is located within a Special Flood Hazard Area for the Mill Pond of Minnehaha Creek as determined by FEMA. The existing basement is nonconforming and below the flood protection elevation. The property must maintain a minimum 50 foot setback from Minnehaha Creek with the south and east sides of the lot imposed with a 50 foot setback.

Planning

Guide Plan designation:	Low-Density Residential
Zoning:	R-1, Single-Dwelling District

Grading & Drainage

Drainage patterns would generally remain the same. The grading must not impact adjacent neighbors. Final grading and drainage plan is subject to review and approval of the city engineer at the time of building permit application. The proposed plans will also require a review and approval by the Minnehaha Creek Watershed District.

Conditional Use Permit

Per Section 850.04 Subd. 5.E, the City Council shall not grant a Conditional Use Permit unless it finds that the establishment, maintenance and operation of the use:

1. ***Does not have an undue adverse impact on governmental facilities, utilities, services or existing or proposed improvements;***

The proposal for a tear down and rebuild of a new single-family home will not have an impact on governmental facilities or services. A single-family home is a permitted use on the site.

2. ***Will generate traffic within the capacity of the streets serving the property;***

The proposal to tear down and rebuild a single-family home would not have an impact on traffic or the capacity of the streets serving the property. The use, a single-family home, remains the same on the property.

3. ***Does not have an undue adverse impact on the public health, safety or welfare;***

There would be no impact, as the use of the property remains the same as exists today.

4. ***Will not impede the normal and orderly development and improvement of other property in the vicinity;***

The proposed new home would fit the character of the existing neighborhood. The proposed new home is a 1.5 story walk-out home. (See home on pages A8–A12.)

5. ***Conforms to the applicable restrictions and special conditions of the district in which it is located as imposed by this Section; and***

The new home would meet all applicable zoning ordinance requirements.

6. Is consistent with the Comprehensive Plan.

A single-family home is consistent with the low-density residential land use designation within the Comprehensive Plan.

Additional Conditions

Per Section 850.11. Subd. 2: Additions to or replacement of single dwelling unit buildings with a first floor elevation of more than one (1) foot above the existing first floor elevation of the existing dwelling unit building. Such additions to or replacements of single dwelling unit buildings must meet one or more of the first three (3) conditions listed below, and always meet condition four (4).

1. The first floor elevation may be increased to the extent necessary to elevate the lowest level of the dwelling to an elevation of two (2) feet above the 100-year flood elevation, as established by the Federal Emergency Management Agency (FEMA), or the City's Comprehensive Water Resource Management Plan; or

2. The first floor elevation may be increased to the extent necessary to reasonably protect the dwelling from ground water intrusion. Existing and potential ground water elevations shall be determined in accordance with accepted hydrologic and hydraulic engineering practices. Determinations shall be undertaken by a professional civil engineer licensed under Minnesota Statutes Chapter 326 or a hydrologist certified by the American Institute of Hydrology. Studies, analyses and computations shall be submitted in sufficient detail to allow thorough review and approval; or

3. The first floor elevation may be increased to the extent necessary to allow the new building to meet State Building Code, City of Edina Code, or other statutory requirements; and

4. An increase in first floor elevation will only be permitted if the new structure or addition fits the character of the neighborhood in height, mass and scale.

Conditions #1 and #4 above apply to the proposed new home. The subject property is located within the 100-year flood elevation for the Mill Pond.

The 100-year flood elevation is 888.1. Structures must be at least two (2) feet above the established 100-year flood elevation; therefore, the low floor elevation for the new home must be no lower than 890.1. The existing home has a low floor elevation of 887. The proposed new home would have a low floor elevation of 890.1.

The applicant would like the new home to have a nine (9) foot ceiling height in the basement. An eight to nine foot basement ceiling height within single-family homes in an Edina is typical, even though the minimum building code requirement is seven feet.

Therefore, with the combination of the inability to go down lower to accomplish ceiling height in the basement and the requirement to raise the low floor elevation out of the flood zone will result in the new home being 4.68 feet above the first floor elevation of the existing home or 3.68 feet higher than allowed by ordinance.

The proposed new home would fit the character of the neighborhood. (See pages A44–A76, which shows existing homes in the area.) The proposed new home is 1.5 stories with an attached three car garage.

Compliance Table

	City Standard	Proposed
Front – East Sunnyslope	43.6 feet	46.8 feet
Side - South Mill Pond	50 feet from creek	50 feet
Rear– East Mill Pond	50 feet from creek	50 feet
Side – North	10 feet	35.3 feet
Building Coverage	25%	14.7%
Building Height	40 feet/30 mid pt	39.08 feet/28.89 feet

PRIMARY ISSUE & STAFF RECOMENDATION

Primary Issue

- **Is the proposed new home with a first floor elevation 4.68 feet higher than the existing home reasonable for this site?**

  Yes. Staff believes the proposal is reasonable for four reasons:

1. The proposal meets the Conditional Use Permit findings. As demonstrated on pages 3-4 of this report, the findings and conditions required for this conditional use permit would be met.

2. As demonstrated on the Compliance Table on page 4 of this report, the proposal meets all minimum Zoning Ordinance standards.

3. Because of the 100-year flood plain elevation for Minnehaha Creek, the applicant cannot dig down lower to build a basement with a nine foot ceiling, and meet the code requirement that the first floor elevation for the new home not exceed one foot above first floor elevation of the existing home. A basement with a nine foot ceiling is considered reasonable within the City.

4. The proposed home is in character within this neighborhood. There are a variety of housing styles throughout the area.

Staff Recommendation

Recommend that the City Council approve the Conditional Use Permit for Doug and Abby Power for property located at 4805 East Sunnyslope Road. The Conditional Use Permit allows the new home to have a first floor elevation 3.68 feet above the one foot first floor increase of the existing home.

Approval is based on the following findings:

1. The proposal meets the Conditional Use Permit conditions of the Zoning Ordinance.

2. The proposal meets all applicable Zoning Ordinance requirements.

3. The proposed new home is in character with this neighborhood.

Approval is subject to the following conditions:

1. The site must be developed and maintained in conformance with the following plans:

    - Survey date stamped May 14, 2012.
    - Building plans and elevations date stamped May 14, 2012.

2. Submit a copy of the Minnehaha Creek Watershed District permit. The City may require revisions to the approved plans to meet the district's requirements.

3. Final grading and drainage plans are subject to review and approval of the city engineer prior to issuance of a building permit. Drainage patterns may not be directed to adjacent properties.

Deadline for a city decision: July 14, 2012

CONDITIONAL USE PERMIT APPLICATION

CASE NUMBER 2012006.2 DATE 5/14/2012

FEE PAID ✓

City of Edina Planning Department * www.cityofedina.com
4801 West Fiftieth Street * Edina, MN 55424 * (952) 826-0369 * fax (952) 826-0389

FEE: $800.00

APPLICANT:

NAME: DOUG + ABBY POWER (Signature required on back page)

ADDRESS: 4620 DREXEL AVENUE **PHONE:** 917-509-7290

EMAIL: DOUG.POWER@GENMILLS.COM

PROPERTY OWNER:

NAME: CHARLES MOOTY (Signature required on back page)

ADDRESS: 4615 MOORLAND AVENUE **PHONE:** 612-220-9647

LEGAL DESCRIPTION OF PROPERTY (written and electronic form):
LOT 2 AND THAT PART OF LOT 1 LYING..., BLOCK 6, SUNNYSLOPE SECTION, COUNTRY CLUB DISTRICT. SEE ATTACHED FOR FULL LEGAL DESCRIPTION.

PROPERTY ADDRESS:
4805 SUNNY SLOPE ROAD EAST

PRESENT ZONING: _____ **P.I.D.#** 18-028-24-22-0085

EXPLANATION OF REQUEST:
SEE ATTACHED.

RECEIVED MAY 14 2012

(Use reverse side or additional pages if necessary)

ARCHITECT: NAME: CHARLIE SIMMONS **PHONE:** 651-261-1490

EMAIL: CHARLIE@CHARLIEANDCODESIGN.COM

SURVEYOR: NAME: HAROLD PETERSON **PHONE:** 952-890-6044

EMAIL: HPETERSON@JRHINC.COM

APPLICANT'S STATEMENT

This application should be processed in my name, and I am the party whom the City should contact about this application. By signing this application, I certify that all fees, charges, utility bills, taxes, special assessments and other debts or obligations due to the City by me or for this property have been paid. I further certify that I am in compliance with all ordinance requirements and conditions regarding other City approvals that have been granted to me for any matter.

I have completed all of the applicable filing requirements and, to the best of my knowledge, the documents and information I have submitted are true and correct.

5/10/12

Applicant's Signature **Date**

OWNER'S STATEMENT

I am the fee title owner of the above described property, and I agree to this application.

(If a corporation or partnership is the fee title holder, attach a resolution authorizing this application on behalf of the board of directors or partnership.)

5/8/12

Owner's Signature **Date**

Note. Both signatures are required (if the owner is different than the applicant) before we can process the application, otherwise it is considered incomplete.

PLANNING DEPARTMENT
MAY 14 2012

Metes and Bounds

The following is the County Auditor's description of this tax parcel. It may not be the legal description on the most recent conveyance document recording ownership. Please refer to the legal description of this property on the public record when preparing legal documents for recording

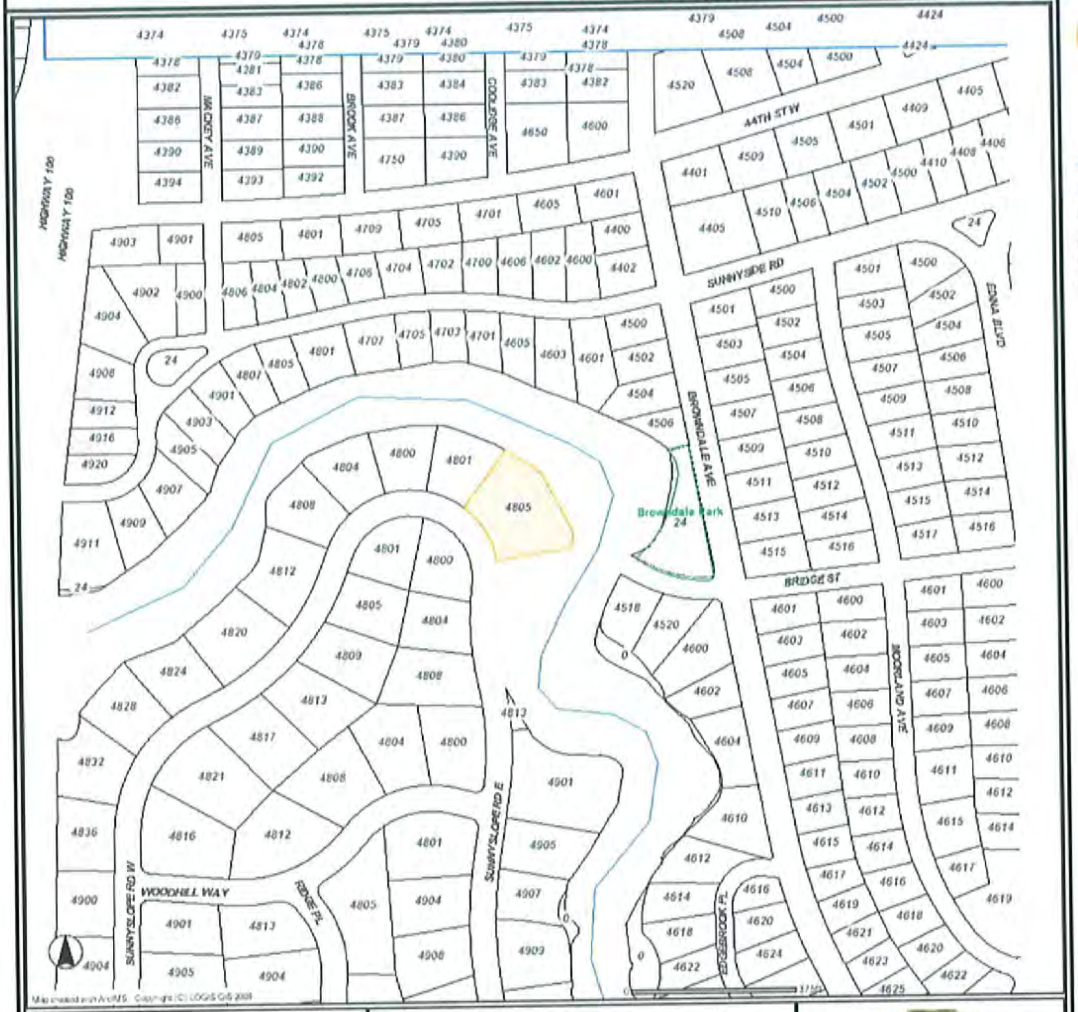
PID: 18-028-24-22-0085
Municipality: EDINA
Addition Name: SUNNY SLOPE SECTION COUNTRY CLUB DIST
Lot:
Block: 006

LOT 2 AND THAT PART OF LOT 1 LYING NLY OF A LINE RUNNING FROM A PT IN WLY LINE OF SAID LOT DIS 52 FT SLY MEAS ALONG WLY LINE OF SAID LOT FROM NW COR THEREOF TO A PT IN ELY LINE OF SAID LOT 110 33/100 FT SLY MEAS ALONG ELY LINE OF SAID LOT FROM NE COR THEREOF

[redacted]

PLANNING DEPARTMENT
MAY 14 2012
CITY OF EDINA

Site Location



PID: 1802824220085

4805 Sunnyslope Rd E
Edina, MN 55424

CITY OF EDINA, MINNESOTA
INCORPORATED
1888

Property	Assessing

A. 1

4801
4805
4605
4603
4601
4502
4504
4800
4801
4804
4808
4805
4801
4800
4812
SUNNYSLOPE
4805
4804
4809
4808
4813
SUNNYSLOPE RD E
4813
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Map created with ArcIMS - Copyright (C) LOGIS GIS 2005

A. Z

4801
4805
4800
SUNNYSLOPE RD E
Map created with ArcIMS - Copyright (C) LOGIS GIS 2005

A.3

4805 Sunnyslope Road East
Conditional Use Permit
Written Statement About Use of Property/Description of Similar Projects

Project Overview:

Our clients, Doug and Abby Power (and their two sons Josh, 11, and Owen, 9), currently are in the process of acquiring the property at 4805 Sunnyslope Road East in Edina. Doug and Abby moved to Edina from Chicago late last Summer as Doug took a position with General Mills. After searching diligently over the last six months to find the right long term location for them to build a home on in Edina, they settled upon this property as the location they felt most connected to with it's proximity to the creek and amenities in Edina.

Yet, the site is not without it's unique challenges and parameters:

- Given the proximity to the creek, we're subject to the parameters set out by FEMA, the DNR, the Minnehaha Creek Watershed District as we navigate the development of the property.
- Given the property in on a peninsula on Minnehaha Creek, it is subject to the City of Edina code setbacks from Minnehaha Creek of 50' on three sides of the property.
- The existing site has a 1953 one story walkout home that has been a rental for the last four years and is in significant disrepair. As we've met with multiple neighbors, they've mentioned how encouraging it will be to get the property cleaned up.
- The existing structure's Lower Level is in the 100 year flood plain level. We believe this has been a major development challenge with the site.
- In order to have a new home 2' above the flood plain level for the Lower Level floor (which is the height suggested by the City of Edina code as part of the conditional use permit process), we will need to raise the height of the first floor of the new house above the City of Edina's code maximum of 1' above the existing structure's first floor height. Given the existing Lower Level of the existing house is in the flood plain, the way to achieve this is through a conditional use permit.

Use of Property.

- At the request of our client, an active family with two boys, we hope to build a new single family home on the property at 4805 Sunnyslope Road East.
- Using classic architecture and careful planning, we've proposed a 1.5 story Shingle style home with attached garage for the site.
- We feel the proposed design provides timeless architecture in an integrated fashion with the topography challenges of the site (due to the flood plain level) while ultimately complementing the fabric of the neighborhood.

Conditions of Conditional Use Permit.

- As part of the Edina City Code regarding Conditional Uses, "Additions to or replacement of single dwelling unit buildings with a first floor elevation of more than one (1) foot above the existing first floor elevation of the existing dwelling unit building", must meet one or more of the first three conditions listed in the code and always meet condition four.

- Given that part of 4805 Sunnyslope Road East is in the flood plain, we'll be addressing ***Condition 1 of the Edina City Code, regarding conditional uses, which states:***

  "The first floor elevation may be increased to the extent necessary to elevate the lowest level of the dwelling to an elevation of two (2) feet above the 100 year floor elevation, as established by the Federal Emergency Management Agency (FEMA), or the City's Comprehensive Water Resource Management Plan".

- And since meeting Condition 4 is a necessity of all conditional use permits, we'll also addressing it. ***Condition 4 of the City of Edina Code, regarding conditional uses, states:***

  "An increase in first floor elevation will only be permitted if the new structure or addition fits the character of the neighborhood in height, mass, and scale."

Meeting Condition 1 of the Conditional Use Permit.

- The current 100 year flood plain level for the site at 4805 Sunnyslope Road East, as defined by FEMA in panel 361 of 479 on their Hennepin County MAP #27053C0361E, effective September 28, 2007, is 888.1 (see FEMA's attached Letter of Map Revision).

- Given a portion of 4805 Sunnyslope Road East is in the 100 year flood plain, we are applying to abide by the City's conditional use option, allowing the lower level floor to be two (2) feet above the flood plain elevation, or 890'1".

- The existing first floor height of the 1953 home at 4805 Sunnyslope East is at 895'11" (see property survey). Under the City of Edina code, we can place a new home up to 1' above the existing first floor height of the 1953 home without a conditional use permit, which would be 896'11".

- The difference between 896'11" and two feet above flood plain level, 890'1", is 6'10", which would be the Lower Level floor to Main Floor height if a conditional use permit was not applied for.

- Given the structural space between floors is at least 18" (for floor trusses), this would leave a Lower Level ceiling height of approximately 5'4", an unworkable circumstance

(and not in keeping with permissible municipal code) to the property for building a new home and thus the need for the conditional use permit.

- With the information above in mind, we are requesting to raise the first floor height of the home from the allowable 896'11" to 900'7" in order to accommodate a workable floor to floor height and still be 2' above the 100 year flood plain on the site. For reference purposes, we've included a Key Elevation Points Diagram (labeled as Drawing B) highlighting the various elevation levels we've noted above.

Meeting Condition 4 of the Conditional Use Permit.

- The Sunnyslope neighborhood is characterized by diverse, hilly topography, relatively large home sites (approximately 1/2 acre of more; the subject site is .86 acres), and a variety of architectural styles of homes ranging from one story ramblers to 1.5 story homes to full two story homes.

- We photographed over thirty (30) homes in the immediate vicinity of the site to provide context of the various architectural styles, height, mass, scale, and topography. We've provided a map and photographs of each of the homes for reference.

- After reviewing the information, it's interesting to note the diverse nature of the neighborhood in each aspect. For example, directly across the street from 4805 Sunnyslope Road East is a wide, full two story colonial house on a relatively flat property (see photo of 4800 Sunnyslope Road East), while the property next door to the West of the 4805 Sunnyslope East is a one story walkout mid-century modern home on the creek that does not conform to the flood plain level (see photo of 4801 Sunnyslope Road East; it's Lower Level walkout is 886'6" which is 1'7" below the 100 year flood plain and therefore isn't a reasonable topography/height comparison for the subject property). Overall, the neighborhood has examples of homes that are relatively large in scale, and others that are not. Some homes have three car garages. Others are relatively tall while others sit up on hilly sites.

- In considering the overall context of the neighborhood, we designed a double gable, 1.5 story home with a walkout Lower Level (given the existing topography of the site) and a link to an attached garage (see Front Elevation Concept Drawing C by Charlie and Company Design and Front Elevation Neighborhood Context Drawing B). ***With the design, we have taken special note to be in conformance of every aspect of the City of Edina Code in terms of height, scale, massing, hard cover, setbacks, grading, etc (see Site Plan, Grading and Drainage Plan, Key Elevation Points, and Property Survey), despite having to raise the first floor height as part of the conditional use permit due to the flood plain level.***

- By using an experienced group of architects and designers we've worked with in the past on our Edina projects (and particularly ones who have dealt with similar circumstances), we're confident we have a result that will be a beautiful, fitting addition to the neighborhood.

Description of Similar Projects.

- Elevation is a division of Streeter and Associates, Inc., a custom home builder with over twenty-five years of experience building homes in the metro area.

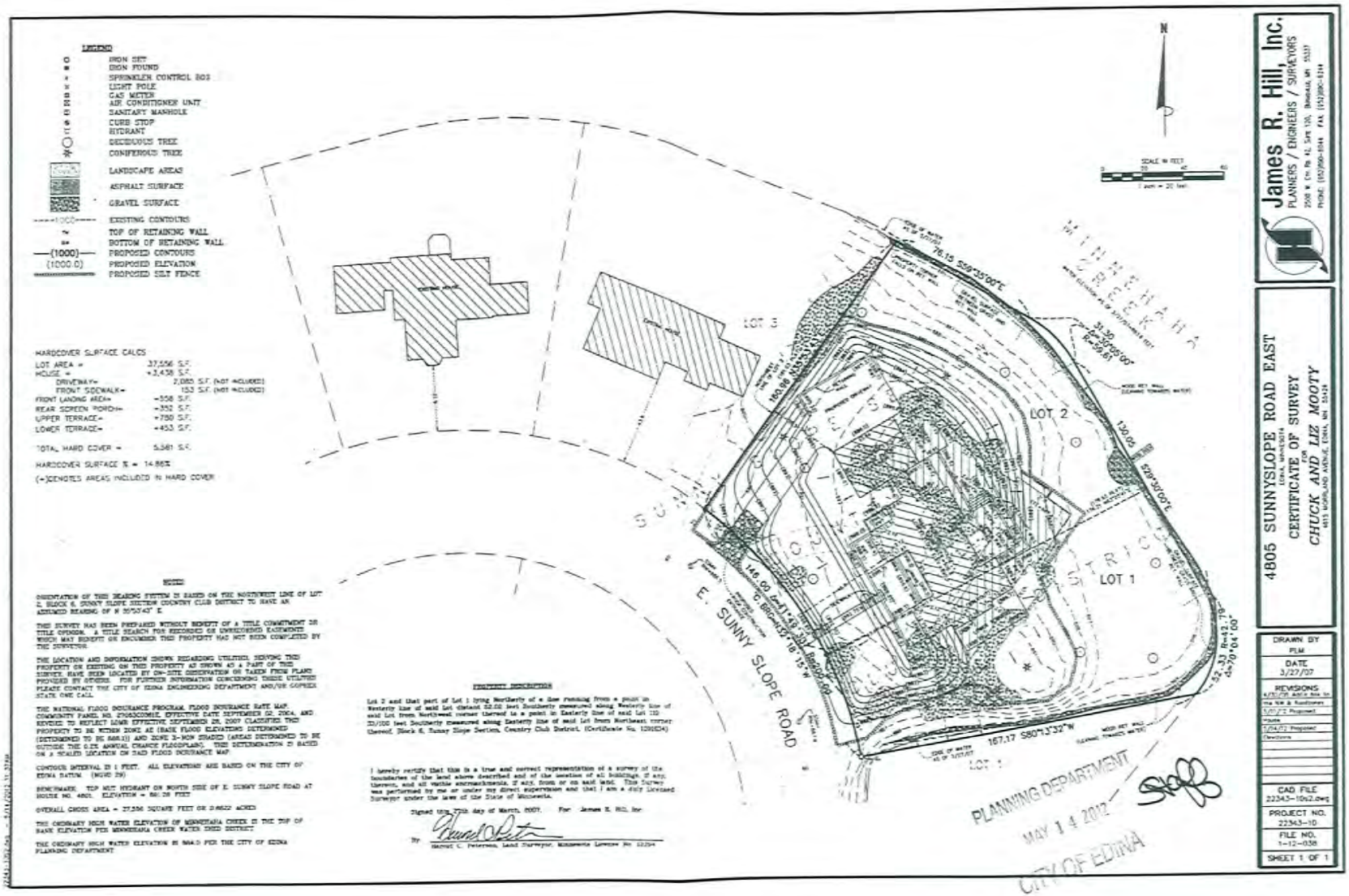
- Elevation's focus, as part of Streeter, is infill building - working in established neighborhoods to redevelop properties with new single family homes that fit the existing fabric in the neighborhood and are architecturally timeless.

- While we've been fortunate to be a recipient of a Minneapolis BLEND award showcasing one of our homes' seamless fit in the Linden Hills neighborhood, the core of Elevation's work is in Edina where we've completed multiple homes that have a similar Shingle architectural style to the home designed for the property at 4805 Sunnyslope Road East.

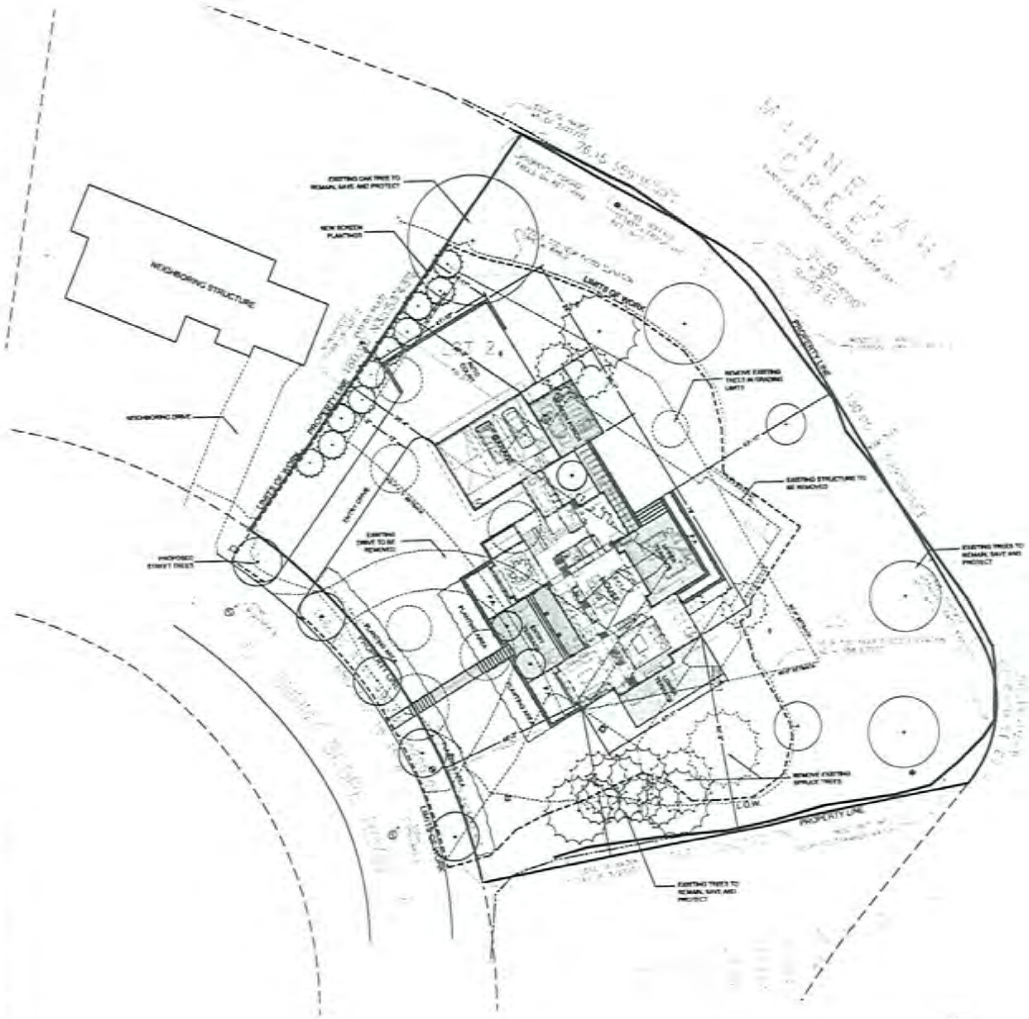
- We've provided photos some of those homes at the following addresses: 4600 Woodland Road West, 4604 Woodland Road West, 4617 Tower Street, and 5201 Mirror Lakes Drive.

- Of the properties listed above, 5201 Mirror Lakes Drive most closely resembles the overall appearance of what we anticipate 4805 Sunnlyslope East to resemble. On that particular property, we worked with significant topography to integrate the new home in a fashion that transitions well into the site and provides a fitting complement to the rest of the neighborhood architecture.

- We invite you to drive by any of the properties above with the hope that you'll see we are committed to building homes that fit the character of the neighborhoods they are in and are respectful of surrounding properties.


LEGEND
IRON SET
IRON FOUND
SPRINKLER CONTROL BOX
LIGHT POLE
GAS METER
AIR CONDITIONER UNIT
SANITARY MANHOLE
CURB STOP
HYDRANT
DECIDUOUS TREE
CONIFEROUS TREE
LANDSCAPE AREAS
ASPHALT SURFACE
GRAVEL SURFACE
EXISTING CONTOURS
TOP OF RETAINING WALL
BOTTOM OF RETAINING WALL
PROPOSED CONTOURS
PROPOSED ELEVATION
PROPOSED SILT FENCE
HARDCOVER SURFACE CALCS
LOT AREA = 37,556 S.F.
HOUSE = +3,438 S.F.
DRIVEWAY= 2,085 S.F. (NOT INCLUDED)
FRONT SIDEWALK= 153 S.F. (NOT INCLUDED)
FRONT LANDING AREA= +358 S.F.
REAR SCREEN PORCH= +352 S.F.
UPPER TERRACE= +780 S.F.
LOWER TERRACE= +453 S.F.
TOTAL HARD COVER = 5,581 S.F.
HARDCOVER SURFACE % = 14.86%
(+)DENOTES AREAS INCLUDED IN HARD COVER
NOTES:
ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE NORTHWEST LINE OF LOT 2, BLOCK 6, SUNNY SLOPE SECTION COUNTRY CLUB DISTRICT TO HAVE AN ASSUMED BEARING OF N 30°57'47" E.
THIS SURVEY HAS BEEN PREPARED WITHOUT BENEFIT OF A TITLE COMMITMENT OR TITLE OPINION. A TITLE SEARCH FOR RECORDED OR UNRECORDED EASEMENTS WHICH MAY BENEFIT OR ENCUMBER THIS PROPERTY HAS NOT BEEN COMPLETED BY THIS SURVEYOR.
THE LOCATION AND INFORMATION SHOWN REGARDING UTILITIES SERVING THIS PROPERTY OR EXISTING ON THIS PROPERTY AS SHOWN AS A PART OF THIS SURVEY, HAVE BEEN LOCATED BY ON-SITE OBSERVATION OR TAKEN FROM PLANS PROVIDED BY OTHERS. FOR FURTHER INFORMATION CONCERNING THESE UTILITIES PLEASE CONTACT THE CITY OF EDINA ENGINEERING DEPARTMENT AND/OR GOPHER STATE ONE CALL.
THE NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 27053C0091E, EFFECTIVE DATE SEPTEMBER 02, 2004, AND REVISED TO REFLECT LOMR EFFECTIVE SEPTEMBER 28, 2007 CLASSIFIES THIS PROPERTY TO BE WITHIN ZONE AE (BASE FLOOD ELEVATIONS DETERMINED (DETERMINED TO BE 888.11) AND ZONE X-NON STUDIED (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN). THIS DETERMINATION IS BASED ON A SCALED LOCATION ON SAID FLOOD INSURANCE MAP.
CONTOUR INTERVAL IS 1 FEET. ALL ELEVATIONS ARE BASED ON THE CITY OF EDINA DATUM. (NGVD 29)
BENCHMARK: TOP NUT HYDRANT ON SOUTH SIDE OF E. SUNNY SLOPE ROAD AT HOUSE NO. 4801. ELEVATION = 881.28 FEET
OVERALL GROSS AREA = 37,556 SQUARE FEET OR 0.8622 ACRES
THE ORDINARY HIGH WATER ELEVATION OF MINNEHAHA CREEK IS THE TOP OF BANK ELEVATION PER MINNEHAHA CREEK WATER SHED DISTRICT
THE ORDINARY HIGH WATER ELEVATION IS 888.0 PER THE CITY OF EDINA PLANNING DEPARTMENT
PROPERTY DESCRIPTION
Lot 2 and that part of Lot 1 lying Northerly of a line running from a point on Westerly line of said Lot distant 52.00 feet Southerly measured along Westerly line of said Lot from Northwest corner thereof to a point in Easterly line of said Lot 110 33/100 feet Southerly measured along Easterly line of said Lot from Northeast corner thereof, Block 6, Sunny Slope Section, Country Club District. (Certificate No. 1295254)
I hereby certify that this is a true and correct representation of a survey of the boundaries of the land above described and of the location of all buildings, if any, thereon, and all visible encroachments, if any, from or on said land. This survey was performed by me or under my direct supervision and that I am a duly licensed Surveyor under the laws of the State of Minnesota.
Signed this 27th day of March, 2007. For: James R. Hill, Inc.
By
Harold C. Peterson, Land Surveyor, Minnesota License No. 22254
N
SCALE IN FEET
1 inch = 20 feet
LOT 3
LOT 2
LOT 1
S 59°35'00" E 76.15
N 30°57'47" E 180.08
S 30°57'47" W 140.00
S 59°13'32" W 167.17
N 30°57'47" E 130.04
31.39 R=30.00' Δ=60°00'00" CH=29.97 S 29°57'47" W
52.33 R=42.79' Δ=70°04'00" CH=49.15 S 24°55'13" E
E. SUNNY SLOPE ROAD
MINNEHAHA CREEK
WOOD RET. WALL (LEANING TOWARDS WATER)
STONE RET. WALL
EDGE OF WATER AT ELEV. 887.07
PLANNING DEPARTMENT
MAY 14 2007
CITY OF EDINA
James R. Hill, Inc.
PLANNERS / ENGINEERS / SURVEYORS
2500 W. County Rd. 42, Suite 190, Burnsville, MN 55337
PHONE (952)890-8944 FAX (952)890-8944
4805 SUNNYSLOPE ROAD EAST
EDINA, MINNESOTA
CERTIFICATE OF SURVEY
FOR
CHUCK AND LIZ MOOTY
4805 SUNNYSLOPE ROAD EAST, EDINA, MN 55436
DRAWN BY: PLM
DATE: 3/27/07
REVISIONS
4/27/07 Add's Bldg. to the NW & Roof Overs
5/07/07 Proposed Pools
5/24/07 Proposed Deckovers
CAD FILE: 22343-10x2.dwg
PROJECT NO.: 22343-10
FILE NO.: 1-12-038
SHEET 1 OF 1

8.A



1 SITE PLAN
SCALE: 1/16" = 1'-0"

GENERAL NOTES:

1. REFER TO ARCHITECTURAL DRAWINGS FOR BUILDING INFORMATION.
2. REFER TO SITE SURVEY FOR SIGNIFICANT INFORMATION. ALL CONSTRUCTION STAKING MUST BE PERFORMED BY A REGISTERED LAND SURVEYOR.
3. DO NOT SCALE THE DRAWINGS. WRITTEN DIMENSIONS ARE TO BE USED FOR ALL LAYOUT WORK.

LEGEND

LAWN SIZE	NO MOW PEDGE
AGGREGATE SURFACING	CONCRETE SURFACING
GROUNDCOVER PLANTING	EXISTING SITE FEATURES TO BE REMOVED
EXISTING CONTOUR	PROPOSED CONTOUR
EXISTING SPOT ELEVATION	PROPOSED SPOT ELEVATION
EXISTING TREES TO BE PROTECTED AND SAVED	PROPOSED NEW TREE
EXISTING TREES TO BE REMAIN	PROPOSED SHRUB / PERENNIAL
EXISTING TREES TO BE REMOVED	DRAINAGE FLOW

TVLS
LANDSCAPE ARCHITECTURE

EXISTING BUILDING COVERAGE	
EXISTING HOUSE	3,789 SQ. FT.
PATIOS AND DECKS	256 SQ. FT.
FRONT STOOP	245 SQ. FT.
TOTAL EXISTING HARDCOVER	4,290 SQ. FT.
AREA OF LOT	37,550 SQ. FT.
PERCENTAGE BUILDING COVERAGE TO LOT	11.4%

PROPOSED BUILDING COVERAGE	
HOUSE	2,529 SQ. FT.
GARAGE	864 SQ. FT.
SCREEN PORCH	352 SQ. FT.
BACK TERRACE	737 SQ. FT.
FRONT STOOP	357 SQ. FT.
LOWER TERRACE	453 SQ. FT.
PROPOSED HARDCOVER	5,512 SQ. FT.
AREA OF LOT	37,550 SQ. FT.
PERCENTAGE BUILDING COVERAGE TO LOT	14.7%

NOTE:

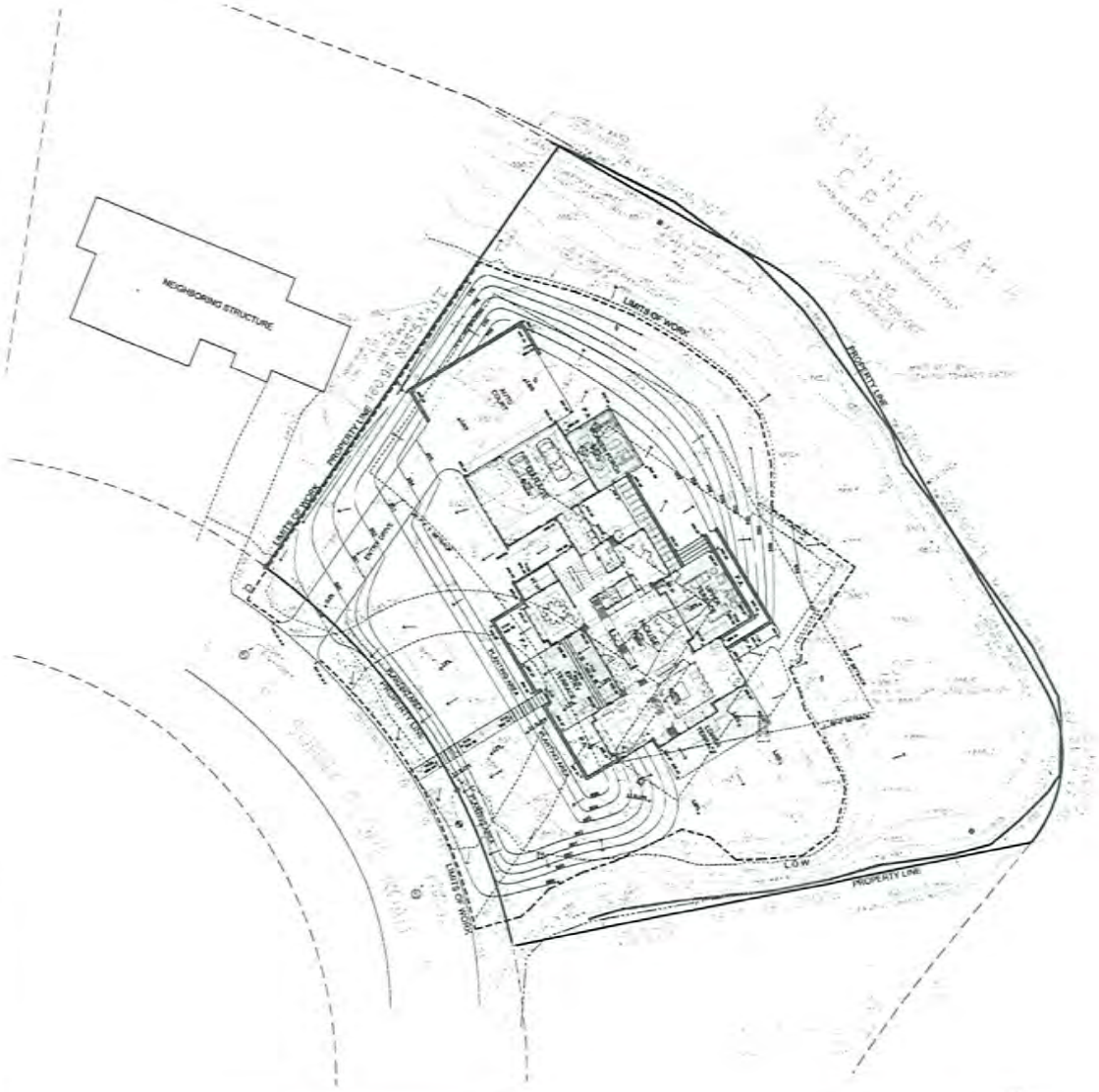
Powers Residence

Site Plan

L1

PLANNING DEPARTMENT
MAY 14 2012
CITY OF EDINA

B.9



1 GRADING AND DRAINAGE PLAN
SCALE: 1/16" = 1'-0"

GENERAL NOTES:

1. REFER TO ARCHITECTURAL DRAWINGS FOR BUILDING INFORMATION.
2. REFER TO SITE SURVEY FOR BOUNDARY INFORMATION. ALL CONSTRUCTION STAKING MUST BE PERFORMED BY A REGISTERED LAND SURVEYOR.
3. DO NOT SCALE THE DRAWINGS. WRITTEN DIMENSIONS ARE TO BE USED FOR ALL LAYOUT WORK.

LEGEND

LAWN / SOD	NO MOW FESCUE
AGGREGATE SURFACING	CONCRETE SURFACING
GROUNDCOVER PLANTING	EXISTING SITE FEATURES TO BE REMOVED
EXISTING CONTOUR	PROPOSED CONTOUR
EXISTING SPOT ELEVATION	PROPOSED SPOT ELEVATION
EXISTING TREES TO BE PROTECTED AND SAVED	PROPOSED NEW TREE
EXISTING TREES TO BE REMAIN	PROPOSED SHRUB / PERENNIAL
EXISTING TREES TO BE REMOVED	DRAINAGE FLOW

TVLS
LANDSCAPE ARCHITECTURE

NOTE:

PLANNING DEPARTMENT
MAY 14 2012
CITY OF EDINA

Powers Residence

Grading & Drainage Plan

L2

A.10

Charlie & Company
05.11.12

FRONT ELEVATION CONCEPT

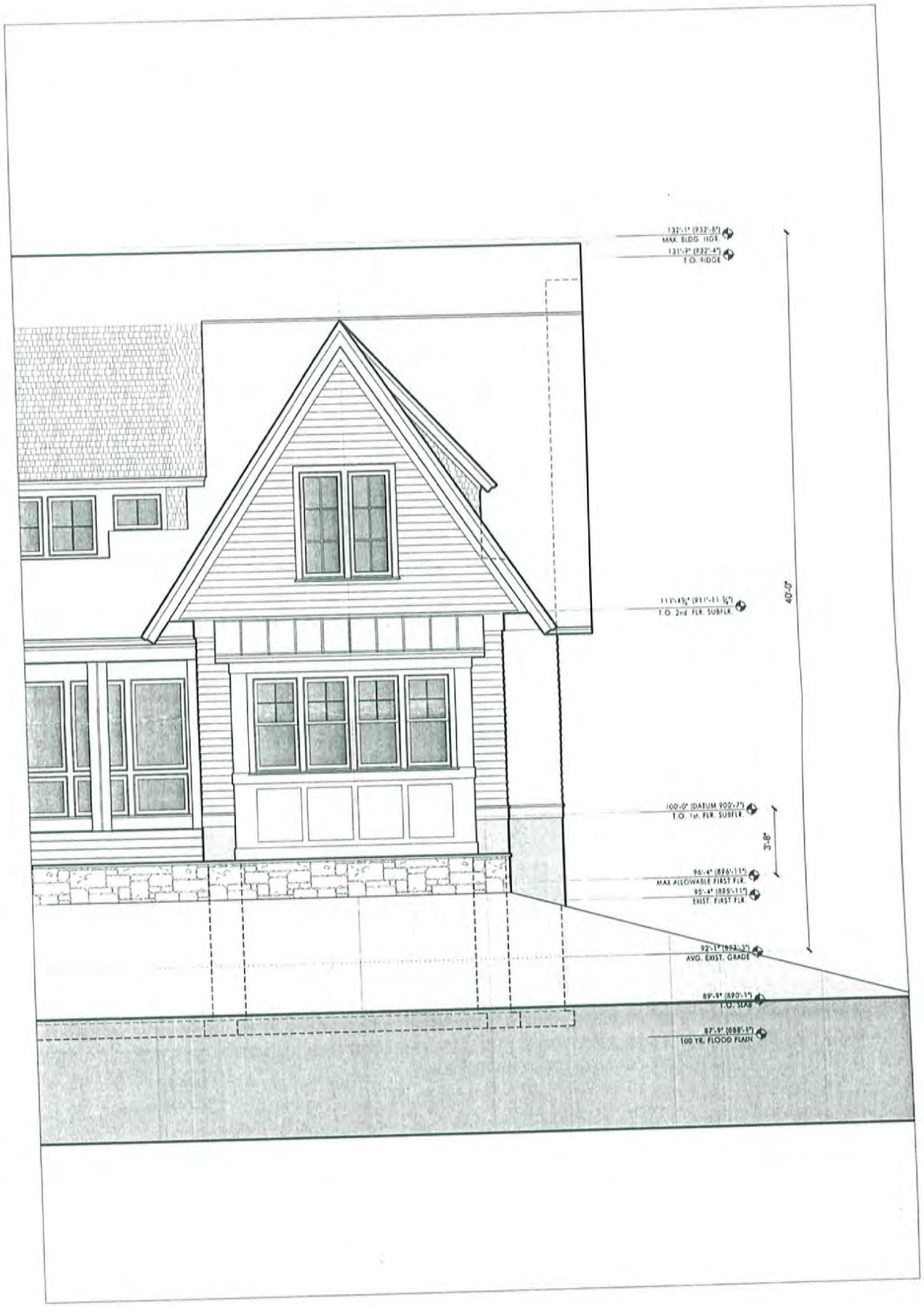
Scale: 1:20

PLANNING DEPARTMENT
MAY 14 2012
CITY OF EDINA

Power Residence

DRAWING C

A.11



Charlie & Company

05.11.12

KEY ELEVATION POINTS

SCALE: 1/4" = 1'-0"

Power Residence

DRAWING B

A.12

Nate Wissink

From: Strauss, Ceil C (DNR) <ceil.strauss@state.mn.us>
Sent: Monday, April 16, 2012 3:36 PM
To: Nate Wissink
Subject: 2007 LOMR - Minnehaha Creek area
Attachments: 07-05-4704P-270160-LOMR-Edina-Hennepin-Minnehaha-effective-092807.pdf

Hi Nate – see the table on page 9 of the attached pdf, the profile on page 12 and the map on page 16. The flood elevation is flat downstream of Hwy 100, and is basically at the same elevation as at cross-section EQ, where the table shows the 1% annual chance flood elevation at 888.1 (NGVD, 1929).

Ceil Strauss, CFM
State Floodplain Coordinator
DNR Eco/Waters
500 Lafayette Road
St. Paul, MN 55155-4032

651-259-5713

A.13

Federal Emergency Management Agency

Washington, D.C. 20472

SEP 2 8 2007

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

The Honorable James Hovland
Mayor, City of Edina
4801 West 50th Street
Edina, MN 55424

IN REPLY REFER TO:
Case No.: 07-05-4704P
Community Name: City of Edina, MN
Community No.: 270160
Effective Date of This Revision: SEP 2 8 2007

Dear Mayor Hovland:

The Flood Insurance Study report and Flood Insurance Rate Map for your community have been revised by this Letter of Map Revision (LOMR). Please use the enclosed annotated map panel(s) revised by this LOMR for floodplain management purposes and for all flood insurance policies and renewals issued in your community.

Additional documents are enclosed which provide information regarding this LOMR. Please see the List of Enclosures below to determine which documents are included. Other attachments specific to this request may be included as referenced in the Determination Document. If you have any questions regarding floodplain management regulations for your community or the National Flood Insurance Program (NFIP) in general, please contact the Consultation Coordination Officer for your community. If you have any technical questions regarding this LOMR, please contact the Director, Mitigation Division of the Department of Homeland Security's Federal Emergency Management Agency (FEMA) in Chicago, Illinois, at (312) 408-5529, or the FEMA Map Assistance Center toll free at 1-877-336-2627 (1-877-FEMA MAP). Additional information about the NFIP is available on our website at http://www.fema.gov/nfip.

Sincerely,

Craig S. Kennedy, CFM, Project Engineer
Engineering Management Section
Mitigation Directorate

For: William R. Blanton Jr., CFM, Chief
Engineering Management Section
Mitigation Directorate

List of Enclosures:

Letter of Map Revision Determination Document
Annotated Flood Insurance Rate Map
Annotated Flood Insurance Study Report

cc: (See attached list.)

A.14

Courtesy Copies List

The Honorable Linda Koblick
Commissioner, Hennepin County
Board of Commissioners

The Honorable Eugene Maxwell
Mayor, City of Hopkins

The Honorable Jeff Jacobs
Mayor, City of St. Louis Park

Mr. Scott Brink
City Engineer
City of St. Louis Park

Ms. Suzanne Jiwani
Minnesota Department of Natural Resources

Mr. Thomas Macdonald, P.E., C.F.M.
Barr Engineering Company

Mr. Robert Riesselman
Park Nicolette Health Services

 | Issue Date: SEP 2 8 2007 | Effective Date: SEP 2 8 2007 | Case No.: 07-05-4704P | LOMR-APP

Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP REVISION DETERMINATION DOCUMENT

COMMUNITY AND REVISION INFORMATION		PROJECT DESCRIPTION	BASIS OF REQUEST
COMMUNITY	City of Edina Hennepin County Minnesota	BRIDGE CULVERT	HYDRAULIC ANALYSIS HYDROLOGIC ANALYSIS NEW TOPOGRAPHIC DATA
	COMMUNITY NO.: 270160		
IDENTIFIER	Park Nicollet LOMR (MN)	APPROXIMATE LATITUDE & LONGITUDE: 44.915, -93.370 SOURCE: USGS QUADRANGLE DATUM: NAD 83	

ANNOTATED MAPPING ENCLOSURES	ANNOTATED STUDY ENCLOSURES
TYPE: FIRM* NO.: 27053C0361 E DATE: September 2, 2004	DATE OF EFFECTIVE FLOOD INSURANCE STUDY: September 2, 2004 PROFILE(S): 42P, 43P FLOODWAY DATA TABLE: 8 SUMMARY OF DISCHARGES TABLE: 5

Enclosures reflect changes to flooding sources affected by this revision.
* FIRM - Flood Insurance Rate Map; ** FBFM - Flood Boundary and Floodway Map; *** FHBM - Flood Hazard Boundary Map

FLOODING SOURCE(S) & REVISED REACH(ES)

Minnehaha Creek - from approximately 3,500 feet downstream of County Highway 100 to approximately 3,200 feet upstream of Louisiana Avenue

SUMMARY OF REVISIONS

Flooding Source	Effective Flooding	Revised Flooding	Increases	Decreases
Minnehaha Creek	Zone AE	Zone AE	YES	YES
	BFEs*	BFEs	NONE	YES
	Floodway	Floodway	NONE	YES

* BFEs - Base Flood Elevations

DETERMINATION

This document provides the determination from the Department of Homeland Security's Federal Emergency Management Agency (FEMA) regarding a request for a Letter of Map Revision (LOMR) for the area described above. Using the information submitted, we have determined that a revision to the flood hazards depicted in the Flood Insurance Study (FIS) report and/or National Flood Insurance Program (NFIP) map is warranted. This document revises the effective NFIP map, as indicated in the attached documentation. Please use the enclosed annotated map panels revised by this LOMR for floodplain management purposes and for all flood insurance policies and renewals in your community.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Assistance Center toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMR Depot, 3601 Eisenhower Avenue, Alexandria, VA 22304. Additional Information about the NFIP is available on our website at http://www.fema.gov/nfip.

Craig S. Kennedy, CFM, Project Engineer
Engineering Management Section
Mitigation Directorate

A.16

109770.10.3.1.07054704 102-I-A-C

Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP REVISION
DETERMINATION DOCUMENT (CONTINUED)

OTHER COMMUNITIES AFFECTED BY THIS REVISION

CID Number: 270166 **Name:** City of Hopkins, Minnesota

AFFECTED MAP PANELS	AFFECTED PORTIONS OF THE FLOOD INSURANCE STUDY REPORT
TYPE: FIRM* NO.: 27053C0361 E DATE: September 2, 2004	DATE OF EFFECTIVE FLOOD INSURANCE STUDY: September 2, 2004 PROFILE(S): 42P SUMMARY OF DISCHARGES TABLE: 5

CID Number: 270184 **Name:** City of St. Louis Park, Minnesota

AFFECTED MAP PANELS	AFFECTED PORTIONS OF THE FLOOD INSURANCE STUDY REPORT
TYPE: FIRM* NO.: 27053C0361 E DATE: September 2, 2004	DATE OF EFFECTIVE FLOOD INSURANCE STUDY: September 2, 2004 PROFILE(S): 42P, 43P FLOODWAY DATA TABLE: 8 SUMMARY OF DISCHARGES TABLE: 5

his determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have ny questions about this document, please contact the FEMA Map Assistance Center toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the OMR Depot, 3601 Eisenhower Avenue, Alexandria, VA 22304. Additional Information about the NFIP is available on our website at http://www.fema.gov/nfip.

Craig S. Kennedy, CFM, Project Engineer
Engineering Management Section
Mitigation Directorate

A.17

Federal Emergency Management Agency
Washington, D.C. 20472

LETTER OF MAP REVISION
DETERMINATION DOCUMENT (CONTINUED)

COMMUNITY INFORMATION

APPLICABLE NFIP REGULATIONS/COMMUNITY OBLIGATION

We have made this determination pursuant to Section 206 of the Flood Disaster Protection Act of 1973 (P.L. 93-234) and in accordance with the National Flood Insurance Act of 1968, as amended (Title XIII of the Housing and Urban Development Act of 1968, P.L. 90-448), 42 U.S.C. 4001-4128, and 44 CFR Part 65. Pursuant to Section 1361 of the National Flood Insurance Act of 1968, as amended, communities participating in the NFIP are required to adopt and enforce floodplain management regulations that meet or exceed NFIP criteria. These criteria, including adoption of the FIS report and FIRM, and the modifications made by this LOMR, are the minimum requirements for continued NFIP participation and do not supersede more stringent State/Commonwealth or local requirements to which the regulations apply.

We provide the floodway designation to your community as a tool to regulate floodplain development. Therefore, the floodway revision we have described in this letter, while acceptable to us, must also be acceptable to your community and adopted by appropriate community action, as specified in Paragraph 60.3(d) of the NFIP regulations.

NFIP regulations Subparagraph 60.3(b)(7) requires communities to ensure that the flood-carrying capacity within the altered or relocated portion of any watercourse is maintained. This provision is incorporated into your community's existing floodplain management ordinances; therefore, responsibility for maintenance of the altered or relocated watercourse, including any related appurtenances such as bridges, culverts, and other drainage structures, rests with your community. We may request that your community submit a description and schedule of maintenance activities necessary to ensure this requirement.

COMMUNITY REMINDERS

We based this determination on the 1-percent-annual-chance discharges computed in the submitted hydrologic model. Future development of projects upstream could cause increased discharges, which could cause increased flood hazards. A comprehensive study of your community's flood hazards would consider the cumulative effects of development on discharges and could, therefore, indicate that greater flood hazards exist in this area.

Your community must regulate all proposed floodplain development and ensure that permits required by Federal and/or State/Commonwealth law have been obtained. State/Commonwealth or community officials, based on knowledge of local conditions and in the interest of safety, may set higher standards for construction or may limit development in floodplain areas. If your State/Commonwealth or community has adopted more restrictive or comprehensive floodplain management criteria, those criteria take precedence over the minimum NFIP requirements.

We will not print and distribute this LOMR to primary users, such as local insurance agents or mortgage lenders; instead, the community will serve as a repository for the new data. We encourage you to disseminate the information in this LOMR by preparing a news release or publication in your community's newspaper that describes the revision and explains how your community will provide the data and help interpret the NFIP maps. In that way, interested persons, such as property owners, insurance agents, and mortgage lenders, can benefit from the information.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Assistance Center toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMR Depot, 3601 Eisenhower Avenue, Alexandria, VA 22304. Additional information about the NFIP is available on our website at http://www.fema.gov/nfip.

Craig S. Kennedy, CFM, Project Engineer
Engineering Management Section
Mitigation Directorate

A.18

Federal Emergency Management Agency
Washington, D.C. 20472

LETTER OF MAP REVISION
DETERMINATION DOCUMENT (CONTINUED)

We have designated a Consultation Coordination Officer (CCO) to assist your community. The CCO will be the primary liaison between your community and FEMA. For information regarding your CCO, please contact:

Mr. Norbert Schwartz
Director, Mitigation Division
Federal Emergency Management Agency, Region V
536 South Clark Street, Sixth Floor
Chicago, IL 60605
(312) 408-5529

STATUS OF THE COMMUNITY NFIP MAPS

We are processing the revised FIRM and FIS report for Hennepin County in our countywide format; therefore, we will not physically revise and republish the FIRM and FIS report for your community to incorporate the modifications made by this LOMR at this time. Preliminary copies of the countywide FIRM and FIS report, which revised hydrologic/hydraulic information along Minnehaha Creek for your community and other incorporated communities in Hennepin County, were submitted to your community for review on December 21, 2006. Based on comments provided by the affected communities, the hydrologic/hydraulic information has been revised and the results of these revised analyses have been incorporated into this LOMR. We will incorporate the modification made by this LOMR into the revised preliminary countywide FIRM before it is distributed and the modifications will be included when the countywide FIRM becomes effective.

Because this LOMR affects only Panel 27053C0316 E, the flood hazard information presented does not tie-in with the adjacent panels; the adjacent FIRM panels are not being revised at this time to reflect the revised analyses. When the revised preliminary FIRM is submitted to the communities for review, they will be revised to correspond to this LOMR.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Assistance Center toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMR Depot, 3601 Eisenhower Avenue, Alexandria, VA 22304. Additional Information about the NFIP is available on our website at http://www.fema.gov/nfip.

Craig S. Kennedy, CFM, Project Engineer
Engineering Management Section
Mitigation Directorate

Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP REVISION
DETERMINATION DOCUMENT (CONTINUED)

PUBLIC NOTIFICATION OF REVISION

PUBLIC NOTIFICATION

FLOODING SOURCE	LOCATION OF REFERENCED ELEVATION	BFE (FEET NGVD 29)		MAP PANEL NUMBER(S)
		EFFECTIVE	REVISED	
Minnehaha Creek	Just upstream of West 44th Street	890	889	27053C0361 E
	Just downstream of County Highway 100	889	888	27053C0361 E

Within 90 days of the second publication in the local newspaper, a citizen may request that we reconsider this determination. Any request for reconsideration must be based on scientific or technical data. This revision is effective as of the date of this letter. However, until the 90-day period has elapsed, the revised BFEs presented in this LOMR may be changed.

A notice of changes will be published in the *Federal Register*. A short notice also will be published in your local newspaper on or about the dates listed below. Please refer to FEMA's website at https://www.floodmaps.fema.gov/fhm/Scripts/bfe_main.asp for a more detailed description of proposed BFE changes, which will be posted approximately within a week of the date of this letter.

LOCAL NEWSPAPER Name: *Edina Sun Current*
Dates: 10/18/2007 10/25/2007

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Assistance Center toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMR Depot, 3601 Eisenhower Avenue, Alexandria, VA 22304. Additional Information about the NFIP is available on our website at http://www.fema.gov/nfip.

Craig S. Kennedy, CFM, Project Engineer
Engineering Management Section
Mitigation Directorate

A.20

DEPARTMENT OF HOMELAND SECURITY

FEDERAL EMERGENCY MANAGEMENT AGENCY

Proposed Base Flood Elevation Determination for City of Hopkins, City of Edina, and City of St. Louis Park, Hennepin County, Minnesota, and Case No.07-05-4704P

The Department of Homeland Security's Federal Emergency Management Agency solicits technical information or comments on the proposed Base (1-percent-annual-chance) Flood Elevations (BFEs) shown in the Flood Insurance Study (FIS) and/or on the Flood Insurance Rate Map (FIRM) for your community. These proposed BFEs are the basis for the floodplain management measures that your community is required to either adopt or show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). For a detailed listing of the proposed BFEs and information on the statutory period provided for appeals, please visit FEMA's website at https://www.floodmaps.fema.gov/fhm/Scripts/bfe_main.asp, or call the FEMA Map Assistance Center toll free at 1-877-FEMA MAP.

FLOODING SOURCE		FLOODWAY			BASE FLOOD WATER SURFACE ELEVATION (FEET NGVD)			
CROSS SECTION	DISTANCE[1]	WIDTH (FEET)	SECTION AREA (SQUARE FEET	MEAN VELOCITY (FEET PER SECOND)	REGULATORY	WITHOUT FLOODWAY	WITH FLOODWAY	INCREASE
Minnehaha Creek (continued)								
EA	51,685	400	711	1.55	867.5	867.5	867.5	0.0
EB	52,628	235	499	2.2	869.8	869.8	869.8	0.0
EC	53,605	120	292	3.77	871.7	871.7	871.9	0.2
ED	54,093	95	207	5.31	872.5	872.5	872.8	0.3
EE	54,235	240	1,370	0.8	878.2	878.2	878.2	0.0
EF	54,670	150	528	2.08	878.2	878.2	878.2	0.0
EG	55,081	150	567	1.94	878.3	878.3	878.3	0.0
EH	55,235	120	625	1.76	881.8	881.8	881.8	0.0
EI	55,349	200	2,540	0.43	888.9	888.9	888.9	0.0
EJ	55,647	195	2,520	0.44	888.9	888.9	888.9	0.0
EK-EP (Deleted)	--	--	--	--	--	--	--	--
EQ	59,175	52	220	2.8	888.1	888.1	888.1	0.0
ER	59,375	132	681	0.9	888.2	888.2	888.2	0.0
ES	59,699	117	554	1.1	888.3	888.3	888.3	0.0
ET	60,150	212	1,004	0.6	888.3	888.3	888.3	0.0
EU	60,575	32	204	3.1	888.8	888.8	888.8	0.0
EV	60,750	69	376	1.7	888.8	888.8	888.8	0.0
EW	61,406	91	391	1.6	889.0	889.0	889.0	0.0
EX	62,206	81	301	2.1	889.3	889.3	889.3	0.0
EY	62,346	40	235	2.7	889.5	889.5	889.5	0.0
EZ (Deleted)	--	--	--	--	--	--	--	--

Revised Data

1 Feet above mouth

TABLE 8

FEDERAL EMERGENCY MANAGEMENT AGENCY

HENNEPIN COUNTY, MN

(ALL JURISDICTIONS)

REVISED TO REFLECT LOMR EFFECTIVE SEP 28 2007

FLOODWAY DATA

MINNEHAHA CREEK

FLOODING SOURCE		FLOODWAY			BASE FLOOD WATER SURFACE ELEVATION (FEET NGVD)			
CROSS SECTION	DISTANCE[1]	WIDTH (FEET)	SECTION AREA (SQUARE FEET	MEAN VELOCITY (FEET PER SECOND)	REGULATORY	WITHOUT FLOODWAY	WITH FLOODWAY	INCREASE
Minnehaha Creek (continued)								
FA-FG (Deleted)	--	--	--	--	--	--	--	--
FH	67,890	19	121	5.3	889.9	889.9	889.9	0.0
FI (Deleted)	--	--	--	--	--	--	--	--
FJ	69,216	11	33	2.4	890.0	890.0	890.0	0.0
FK-FO (Deleted)	--	--	--	--	--	--	--	--

Revised Data

[1] Feet above mouth

REVISED TO REFLECT LOMR EFFECTIVE SEP 2 8 2007

TABLE 8

FEDERAL EMERGENCY MANAGEMENT AGENCY

HENNEPIN COUNTY, MN (ALL JURISDICTIONS)

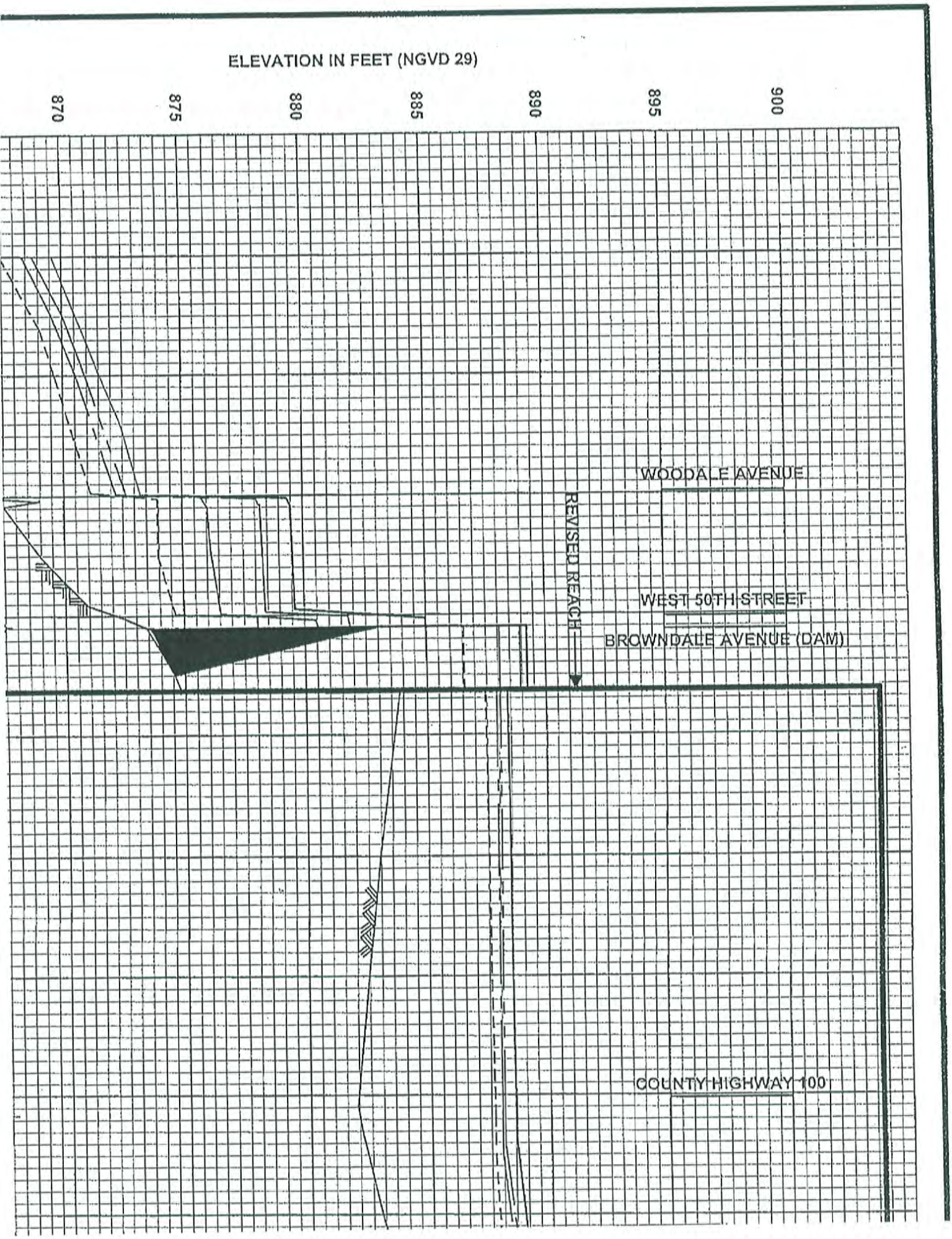
FLOODWAY DATA

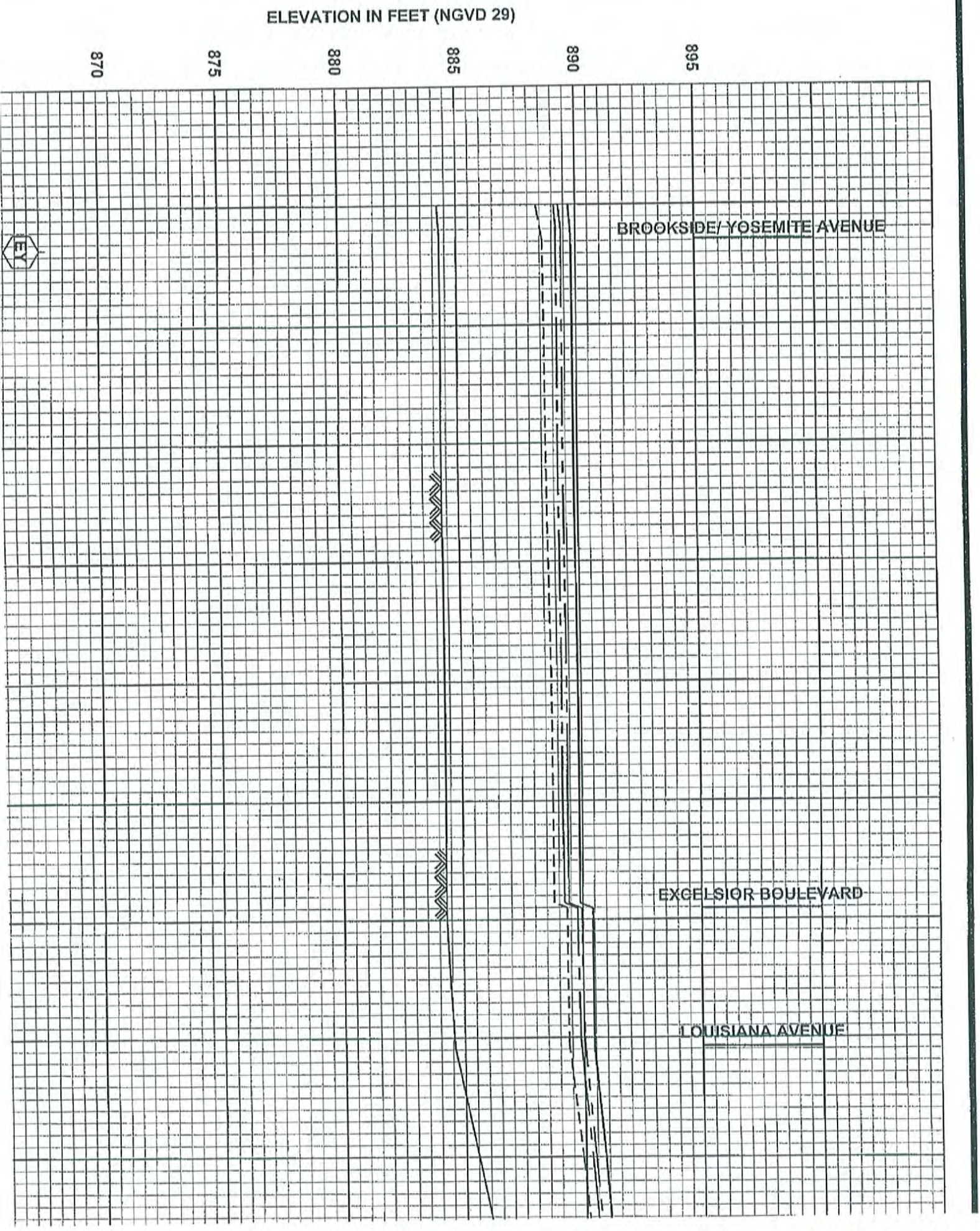
MINNEHAHA CREEK

TABLE 5- SUMMARY OF DISCHARGES – continued

FLOODING SOURCE AND LOCATION	DRAINAGE AREA (sq. miles)	PEAK DISCHARGES (CFS) 10-YEAR	50-YEAR	100-YEAR	500-YEAR
At Excelsior Boulevard	124	529	626	653	771

REVISED TO
REFLECT LOMR
EFFECTIVE SEP 28 2007


ELEVATION IN FEET (NGVD 29)
870
875
880
885
890
895
900
WOODALE AVENUE
WEST 50TH STREET
BROWNDALE AVENUE (DAM)
REVISED REACH
COUNTY HIGHWAY 100


ELEVATION IN FEET (NGVD 29)
870
875
880
885
890
895
BROOKSIDE/ YOSEMITE AVENUE
EXCELSIOR BOULEVARD
LOUISIANA AVENUE

For community map revision history prior to countywide mapping, refer to the Community Map History table located in the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

MAP SCALE 1" = 500'

NFIP

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0361E

FIRM

FLOOD INSURANCE RATE MAP

HENNEPIN COUNTY, MINNESOTA (ALL JURISDICTIONS)

PANEL 361 OF 479
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
EDINA, CITY OF	270160	0361	E
HOPKINS, CITY OF	270166	0361	E
ST. LOUIS PARK, CITY OF	270184	0361	E

REVISED TO REFLECT LOMR EFFECTIVE SEP 28 2007

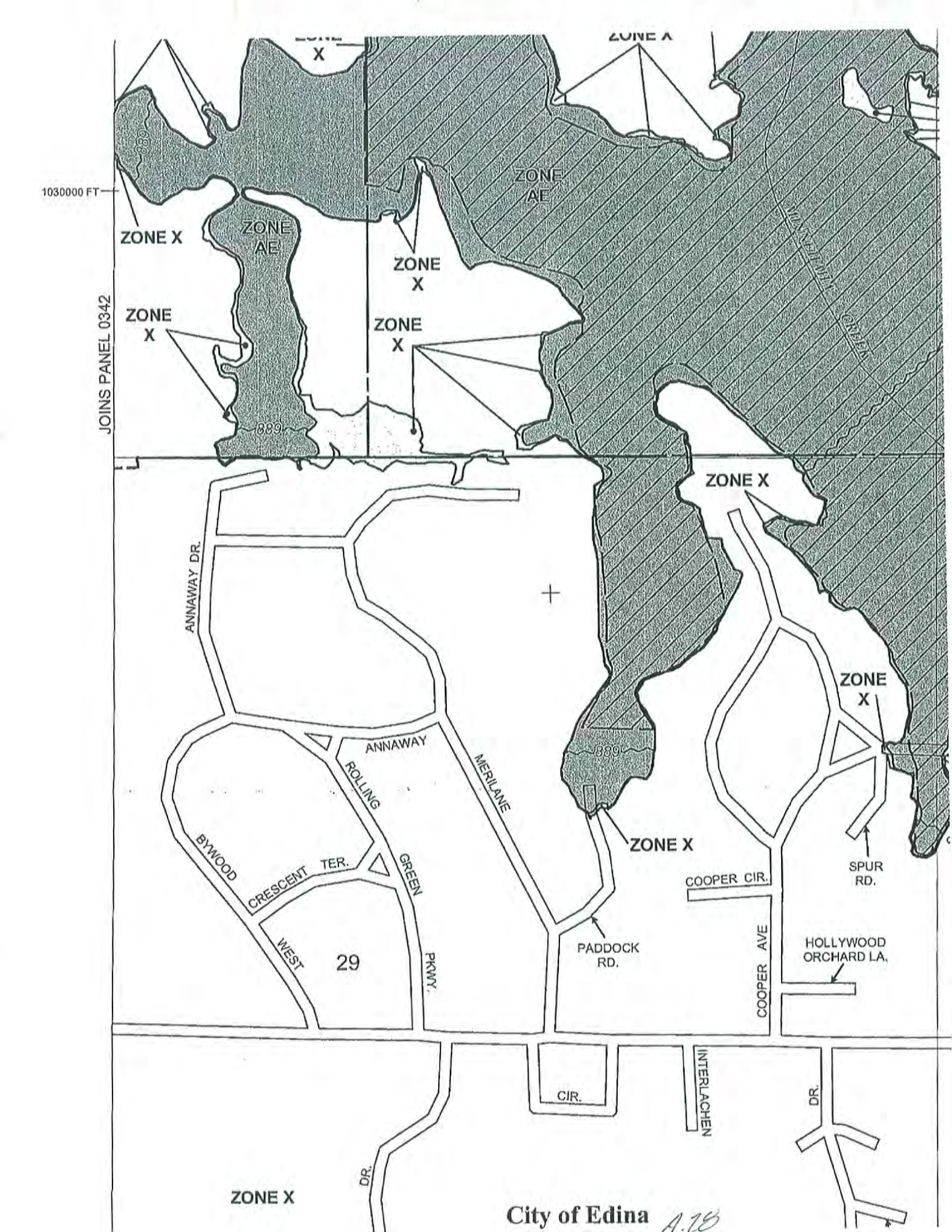
Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.

MAP NUMBER
27053C0361E

EFFECTIVE DATE
SEPTEMBER 2, 2004

Federal Emergency Management Agency

A-77



ZONE X
ZONE X
1030000 FT
ZONE X
ZONE AE
ZONE AE
ZONE X
ZONE X
ZONE X
JOINS PANEL 0342
889
889
889
ZONE X
ANNAWAY DR.
ANNAWAY
ROLLING
GREEN
PKWY.
MERILANE
BYWOOD
CRESCENT TER.
WEST
29
ZONE X
ZONE X
SPUR RD.
COOPER CIR.
PADDOCK RD.
COOPER AVE
HOLLYWOOD ORCHARD LA.
CIR.
INTERLACHEN
DR.
DR.
ZONE X

HOBART LA.
BROOK L
WOOD LA.
43RD ST.
MACKEY AVE
BROOK AVE
COOLIDGE AVE
BROWNDALE AVE
EX
EW
889
ZONE X
ZONE AE
THIELEN AVE
ZONE X
EV
W. 44TH
AVE
BROOKSIDE
EU
LAURA AVE
ZONE X
ZONE AE
ZONE X
ZONE X
NORTH AVE
ET
DIVISION ST.
ES
SLOPE RD.
ZONE X
MINNEHAHA CREEK
VANDER VORK AVE
PARKSIDE LA.
RUTLEDGE
W. 48TH ST.
SOUTHERN RR
ER
EQ
888
WOODHILL WAY
28
MILLPOND PL.
WESTBROOK LA.
18
ZONE X
100
W. SUNNY
PL.
W. 49TH ST.
AND
DALE RIDGE
888
51ST ST.
BEDFORD AVE
WILLIAM AVE
HANKER SON AVE
BROOKSIDE AVE
NORTHFIELD
ARCADIA
EDEN AVE
169
212
WILSON RD.
LINK RD.
GRANDVIEW LANE
53RD ST.
MINNEAPOLIS
ZONE X
EDEN

A.29

MINNEHAHA CREEK WATERSHED DISTRICT

QUALITY OF WATER QUALITY OF LIFE

The Minnehaha Creek Watershed District is committed to a leadership role in protecting, improving and managing the surface waters and affiliated groundwater resources within the District, including their relationships to the ecosystems of which they are an integral part. We achieve our mission through regulation, capital projects, education, cooperative endeavors, and other programs based on sound science, innovative thinking, an informed and engaged constituency, and the cost effective use of public funds.

Memorandum

DATE: May 9, 2012

TO: Nate Wissink

FROM: Steve Christopher, Regulatory Program Manager

RE: 4805 East Sunnyslope Rd., Edina

The existing regulated 100-yr (1% annual chance) floodplain elevation for 4805 E. Sunnyslope Road is 888.1' (NGVD, 1929).

The District regulates for alteration and fill of land below the projected 100-year high water elevation of a waterbody.

If there are any questions or comments, please contact me at schristopher@minnehahahcreek.org or 952-641-4506

A. 30

5201 Mirror Lakes Drive
(Front of Home)

A.31

5201 Mirror Lakes Drive
A.32 (Front of Home)

5201 Mirror Lakes Drive
(Front of Home)

5201 Mirror Lakes Drive
(Back of Home)

4600 Woodland Road West
(Front of Home)

4600 Woodland Road West
(Back of Home)

A.37

4604 Woodland Road West
(Front & Back of Home)

4604 Woodland Road West
(Front of Home)

A.34

4604 Woodland Road West
(Back of Home)

4604 Woodland Road West
(Details of Exterior)

A.40

4617 Tower Road
(Front of Home)

A.H

4617 Tower Road
(Back of Home)

A.42

4617 Tower Road
(Front of Home)

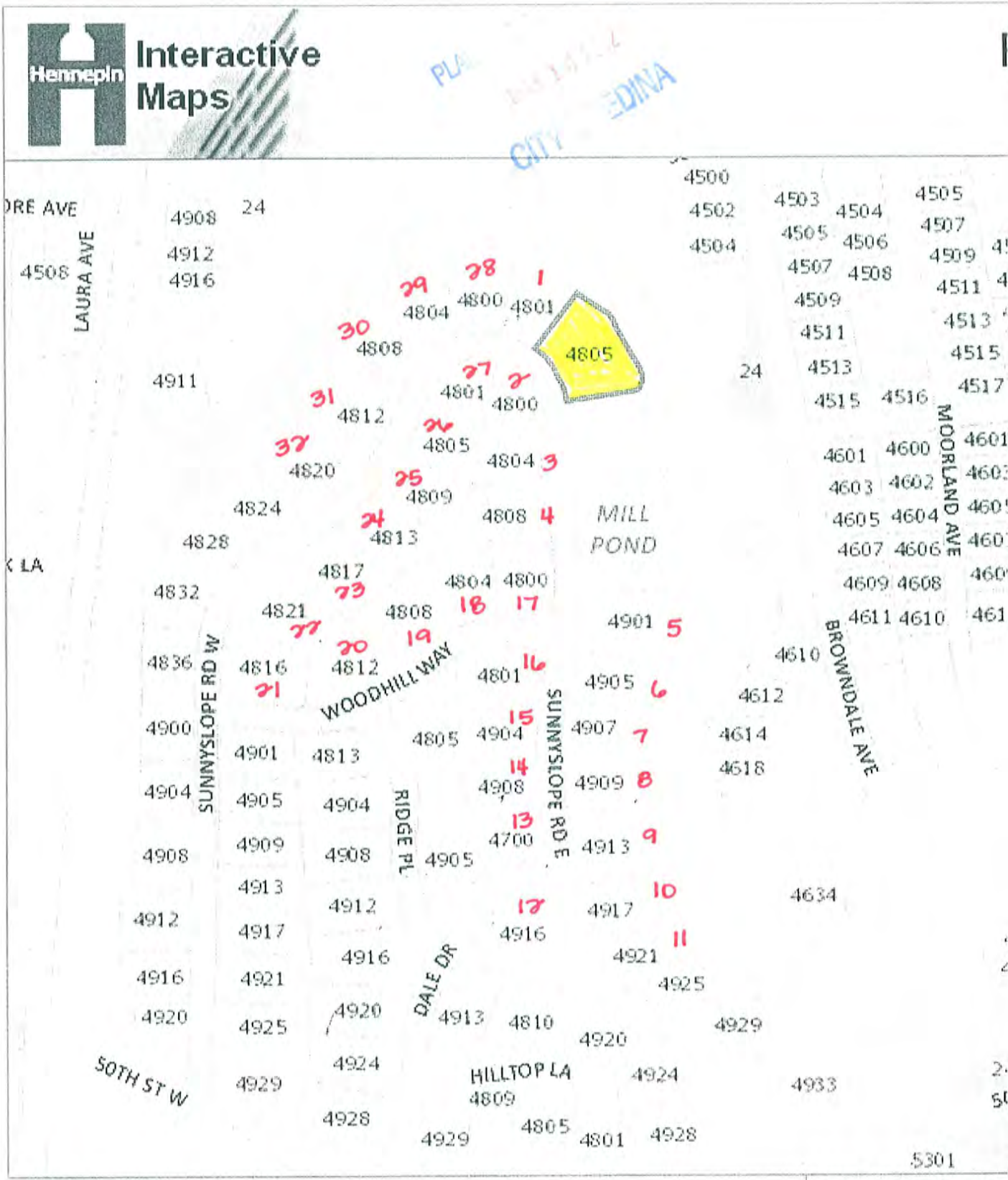
elevation
A division of Streeter & Associates

Map and Photos
Of
Sunnyslope Neighborhood
Homes

PLANNING DEPARTMENT
MAY 14 2012
CITY OF EDINA

18312 Minnetonka Blvd., Wayzata, MN 55391 O 952.449.9448 F 952.449.4987 Mn Lic. #BC645426
ElevationHomes.com

Hennepin County GIS - Printable Map



Parcel ID:	18-028-24-22-0085	**A-T-B:**	Torrens
Owner Name:	C Mooty & E Mooty	**Market Total:**	$1,475,300
Parcel Address:	4805 Sunnyslope Rd E Edina, MN 55424	**Tax Total:**	$22,954.86 (Payable: 2012)

Map Scale: 1" ≈ 40

Print Date: 5/9/2012

4801 Sunnyslope Rd E - #1

A.47

4800 Sunnyslope Rd E - #2

4804 Sunnyslope Rd E - #3

4808 Sunnyslope Rd E - #4

4901 Sunnyslope Rd E - #5

4905 Sunnyslope Rd E - #6

4907 Sunnyslope Rd E - #7

4909 Sunnyslope Rd E - #8

4913 Sunnyslope Rd E - #9

4917 Sunnyslope Rd E - #10

4921 Sunnyslope Rd E - #11

4916 Sunnyslope Rd E - #12

4700 Sunnyslope Rd E - #13

4908 Sunnyslope Rd E - #14

4904 Sunnyslope Rd E - #15

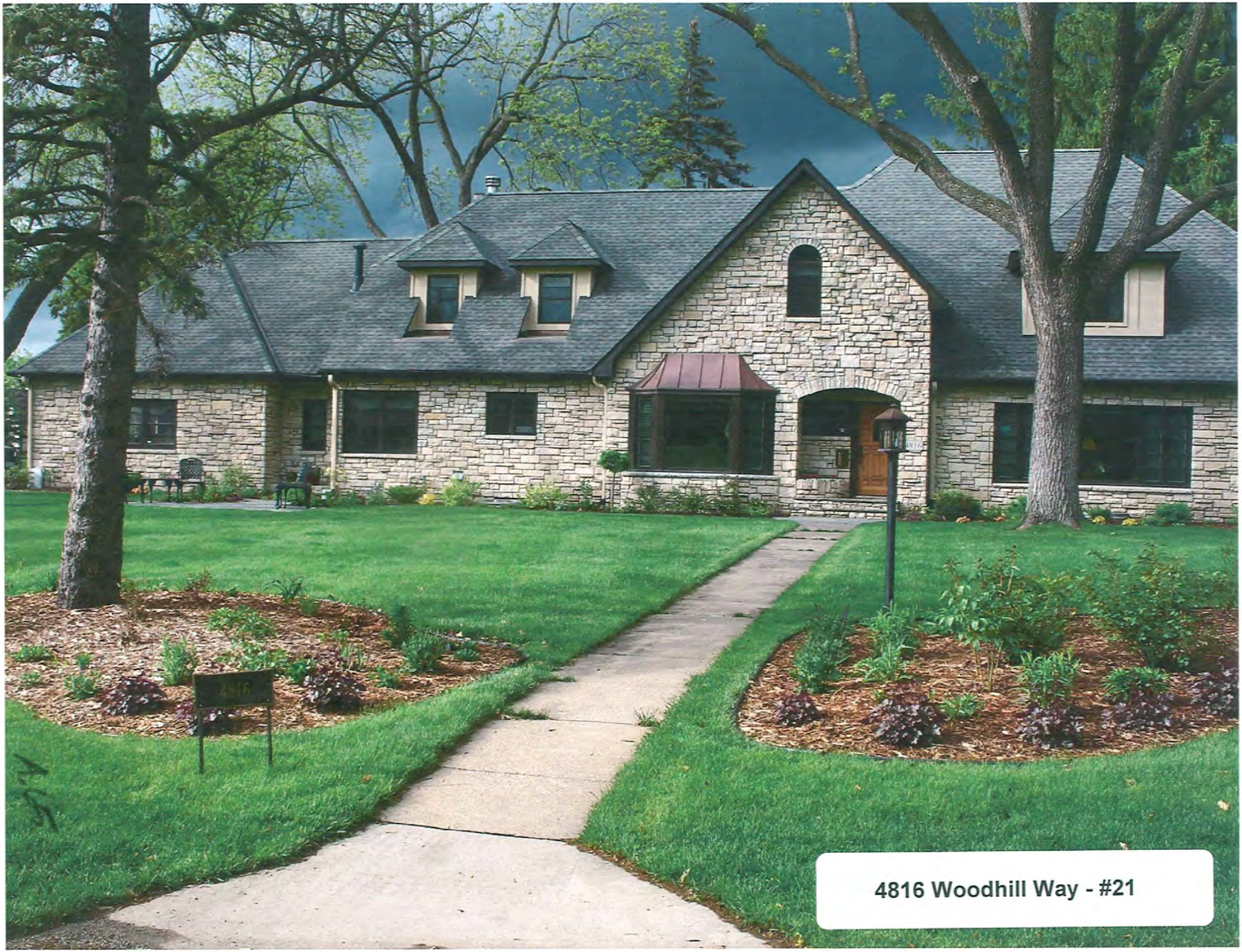
4801 Woodhill Way - #16

4800 Woodhill Way - #17

4804 Woodhill Way - #18

4808 Woodhill Way - #19

4812 Woodhill Way - #20


4816 Woodhill Way - #21

4821 Sunnyslope Rd W - #22

4817 Sunnyslope Rd W - #23

4813 Sunnyslope Rd W - #24

4809 Sunnyslope Rd W - #25

4805 Sunnyslope Rd W - #26

4801 Sunnyslope Rd W - #27

A.72

4804 Sunnyslope Rd W - #29

A-74
4808 Sunnyslope Rd W - #30

4812 Sunnyslope Rd W - #31

4820 Sunnyslope Rd W - #32