REPORT/RECOMMENDATION

To:	**MAYOR AND COUNCIL**	**Agenda Item**	**Item No. VI.C.**
From:	**Cary Teague** **Planning Director**	☒ ☐	**Action** **Discussion**
Date:	**January 3, 2011**	☐	**Information**
Subject:	**Resolution No. 2012-13 approving a Preliminary & Final Plat at 7777 Washington Avenue South for Xcel Energy.**		
Deadline for a City Decision:	**February 6, 2012**		

ACTION REQUESTED:
Adopt the attached resolution approving a Preliminary & Final Plat at 7777 Washington Avenue South.

INFORMATION/BACKGROUND:
Xcel Energy is requesting Preliminary and Final Plat for property located at 7777, 7801, 7807 and 7815 Washington Avenue South. (See location and plans on pages A1–A8 of the attached Planning Commission Staff Report.) The proposed plat is unique in that it is located in both Edina and Bloomington. There is only one lot located in the City of Edina. (7777 Washington Ave.) No new lot would be created with this plat, and lot located in Edina lot would not change, with the exception of a portion of the 7801 Washington Avenue South lot would be attached to it. In doing so, the parking lot and building at 7777 Washington would be located on the same lot. They currently are located on separate lots. The remaining 7807 and 7815 lots would be combined and reconfigured. The requested Plat would create a reconfigured lot in Bloomington, on which Xcel Energy proposes to build a new electric substation. The applicant is working with the Nine Mile Creek Watershed District and City of Bloomington to obtain the necessary permits, approvals and platting to accommodate this request. Any approval in the City of Edina should be contingent on approval from the City of Bloomington.

Planning Commission Recommendation: On December 14, 2011, the Planning Commission unanimously recommended approval of the Preliminary & Final Plat.

ATTACHMENTS:

- Ordinance No. 2012-13
- Planning Commission Staff Report, December 14, 2011
- Draft minutes from the December 14, 2011 Edina Planning Commission meeting

RESOLUTION NO. 2012-13
APPROVING A PRELIMINARY AND FINAL PLAT FOR 7777 WASHINGTON AVENUE SOUTH

City of Edina

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

Section 1. BACKGROUND.

1.01 Xcel Energy is requesting a Preliminary and Final Plat of 7777 Washington Avenue South. This lot would remain one lot, but be enlarged by attaching land located in the City of Bloomington to it.

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

See attached Exhibit A.

1.03 The owner of the described land desires to subdivide said tract in to the following described new and separate parcels (herein called "parcels") described as follows:

Lot 2 Block 1, Newboy Addition, Hennepin County Minnesota.

1.04 On December 14, 2011, the Planning Commission unanimously recommended approval of the Preliminary Plat.

Section 2. FINDINGS

2.01 Approval is based on the following findings:

1. The existing property located within the City of Edina would not be impacted.
2. The existing building and associated parking areas would now be located on the same lot.

Section 3. APPROVAL

NOW THEREFORE, it is hereby resolved by the City Council of the City of Edina, approves the Preliminary and Final Plat for the proposed subdivision of 7777 Washington Avenue South.

Approval is subject to the following Conditions:

1. Final Plat approval by the City of Bloomington.
2. All necessary approvals must be obtained from the Nine Mile Creek Watershed District.

Adopted this ___ day of _____, 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 January 3, 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

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

Par 1: Commencing at the Northwest corner of Section 18, Township 116, Range 21, thence South 58 degrees, 39 minutes East 244.7 feet; thence Southerly parallel to the West line of said Section 18 a distance of 144.7 feet; thence Westerly to a point on the West line of said Section 18 distant 272.07 feet South of the Northwest corner of said Section; thence Northerly to the point of beginning.

Par 2: All that part of the following described tract: That part of the Northwest quarter of Section18, Township116, Range 21, described as follows: Commencing at the Northwest corner of the Northwest Quarter of said Section; thence South 58 degrees 39 minutes East 639.5 feet to a point which is the actual point of beginning; thence North 58 degrees 39 minutes West 394.8 feet; thence South on a line parallel with the West line of the Northwest Quarter 144.7 feet; thence Easterly 342.12 feet to the actual point of beginning, which lies Northwesterly of a line drawn parallel with and distant 75 feet Northwesterly of the following described line: Commencing at a point on the South line of Section 7, Township 116, Range 21, distant 819.16 feet East of the Southwest corner of said Section; thence run Northwesterly at an angle of 73 degrees 42 minutes with said South line a distance of 362.94 feet; thence deflect 90 degrees left a distance of 42.0 feet; thence deflect right at an angle of 93 degrees 48 minutes 50 seconds a distance of 500 feet to the actual point of beginning of the line being described; thence deflect 180 degrees left a distance of 500 feet; thence deflect right along a tangential curve having a radius of 954.93 feet (delta angle 47 degrees 36 minutes 26 seconds) a distance of 793.45 feet; thence continue along a compound curve having a radius of 1145.92 feet (delta angle 46 degrees 08 minutes 11 seconds) a distance of 922.73 feet and there terminating.

Par 3: Lot 1, Block 1, P. C. H. Addition.

Par 4: That part of Tract F lying South of the North 109.21 feet as measured along the West line thereof, Registered Land Survey No. 1283.

Except Parcel No. 204 as shown on Minnesota Department of Transportation Right of Way Map No. 27-196.

Except Parcel No. 204 as shown on Minnesota Department of Transportation Right of Way Map No. 27-199.

PLANNING COMMISSION STAFF REPORT

Originator	Meeting Date	Agenda #
Cary Teague **Director of Planning**	**December 14, 2011**	**2011-0013.11a**

INFORMATION/BACKGROUND

Project Description

Xcel Energy is requesting Preliminary and Final Plat for property located at 7777, 7801, 7807 and 7815 Washington Avenue South. (See location on pages A1–A3.) The proposed plat is unique in that it is located in both Edina and Bloomington. There is only one lot located in the City of Edina. (7777 Washington Ave.) No new lot would be created with this plat, and lot located in Edina lot would not change, with the exception of a portion of the 7801 Washington Avenue South lot would be attached to it. (See pages A6–A7.) In doing so, the parking lot and building at 7777 Washington would be located on the same lot. They currently are located on separate lots. (See page A8.) The remaining 7807 and 7815 lots would be combined and reconfigured. The requested Plat would create a reconfigured lot in Bloomington, on which Xcel Energy could build a new electric substation. (See page A8.) The applicant is working with the Nine Mile Creek Watershed District and City of Bloomington to obtain the necessary permits, approvals and platting to accommodate this request. Any approval in the City of Edina should be contingent on approval from the City of Bloomington.

SUPPORTING INFORMATION

Surrounding Land Uses

Northerly: A two-story office building; zoned PID-1, Planned Industrial District & guided Industrial.
Easterly: Highway 169.
Southerly: A multi-story office building located in the City of Bloomington.
Westerly: The Minnesota Vikings training facility located in the City of Eden Prairie.

Existing Site Features

The subject property is 2.18 acres in size and contains a two-story office building. (See page A3–A3a.) There would be no changes the property located in the City of Edina.

Planning

Guide Plan designation:	Industrial
Zoning:	PID, Planned Industrial District

Utilities/Easements

The city engineer has reviewed the proposed plat and found it to be acceptable. No additional easements or right-of-way would be needed.

Preliminary Plat

Per Section 810.11. Subd. 1, in consideration of Plats and Subdivisions the Planning Commission and City Council may consider the following:

A. *The impact of the proposed plat or subdivision, and proposed development, on the character and symmetry of the neighborhood as evidenced and indicated by, but not limited to, the following matters:*

1. The suitability to the size and shape of the lots in the proposed plat or subdivision relative to the size and shape of lots in the neighborhood; and

2. The compatibility of the size, shape, location and arrangement of the lots in the proposed plat or subdivision with the proposed density and intended use of the site and the density and use of lots in the neighborhood.

B. *The impact of the proposed plat or subdivision, and proposed development, on the environment, including but not limited to, topography, steep slopes, vegetation, naturally occurring lakes, ponds and streams, susceptibility of the site to erosion and sedimentation, susceptibility of the site to flooding and water storage needs on and from the site.*

C. *The consistency of the proposed plat or subdivision, and proposed development, and compliance by the proposed plat or subdivision, and the proposed development, with the policies, objectives, and goals of the Comprehensive Plan.*

D. *The compliance of the proposed plat or subdivision, and the proposed development with the policies, objectives, goals and requirements of Section 850 of this Code including, without limitation, the lot size provisions and the Floodplain Overlay District provisions of Section 850 of this Code.*

E. *The impact of the proposed plat or subdivision, and proposed development on the health, safety and general welfare of the public.*

F. *The relationship of the design of the site, or the improvements proposed and the conflict of such design or improvements, with any easements of record or on the ground.*

G. *The relationship of lots in the proposed plat or subdivision to existing streets and the adequacy and safety of ingress to and egress from such lots from and to existing streets.*

H. *The adequacy of streets in the proposed plat or subdivision, and the conformity with existing and planned streets and highways in surrounding areas. Streets in the proposed plat or subdivision shall be deemed inadequate if designed or located so as to prevent or deny public street access to adjoining properties, it being the policy of the City to avoid landlocked tracts, parcels or lots.*

I. *The suitability of street grades in relation to the grades of lots and existing or future extension of the City's water, storm and sanitary sewer systems.*

J. *The adequacy and availability of access by police, fire, ambulance and other life safety vehicles to all proposed improvements to be developed on the proposed plat or subdivision.*

K. *Whether the physical characteristics of the property, including, without limitation, topography, vegetation, susceptibility to erosion or siltation, susceptibility to flooding, use as a natural recovery and ponding area for storm water, and potential disturbance of slopes with a grade of 18 percent or more, are such that the property is not suitable for the type of development or use proposed.*

L. *Whether development within the proposed plat or subdivision will cause the disturbance of more than 25 percent of the total area in such plat or subdivision containing slopes exceeding 18 percent.*

M. *Whether the proposed plat or subdivision, or the improvements proposed to be placed thereon are likely to cause substantial environmental damage.*

The lot in Edina would not change in any way; therefore, the above criteria would be met.

STAFF RECOMMENDATION

Recommend that the City Council approve the Preliminary and Final Plat of the Newboy Addition for Xcel Energy at 7777 Washington Avenue South.

Approval is subject to the following findings:

1. The existing property located within the City of Edina would not be impacted.

2. The existing building and associated parking areas would now be located on the same lot.

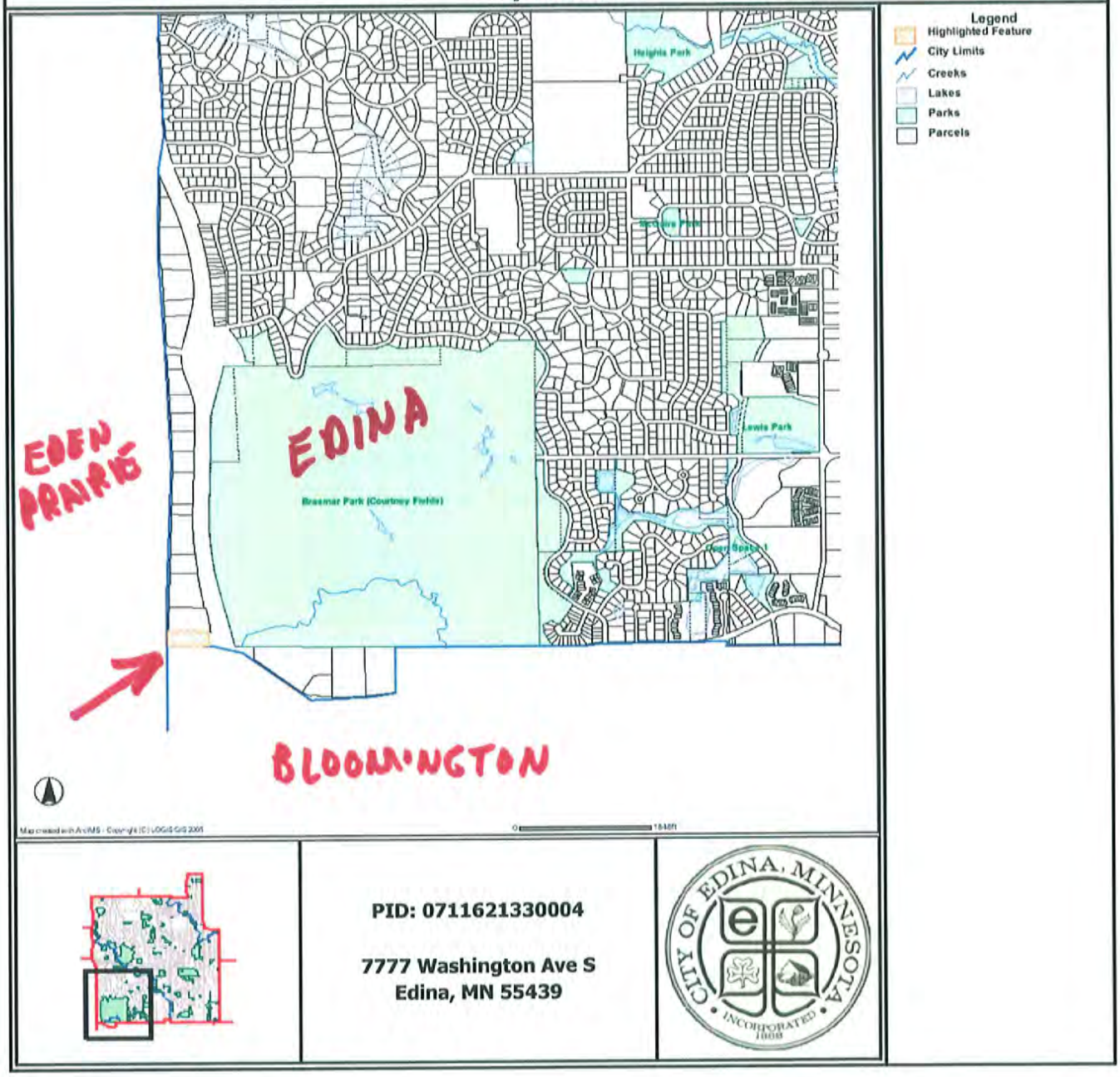
Approval is subject to the following Conditions:

1. Final Plat approval by the City of Bloomington.

2. All necessary approvals must be obtained from the Nine Mile Creek Watershed District.

Deadline for a city decision: February 6, 2012

City of Edina



PID: 0711621330004

7777 Washington Ave S
Edina, MN 55439

A1

City of Edina

PID: 0711621330004

7777 Washington Ave S
Edina, MN 55439

CITY OF EDINA, MINNESOTA
INCORPORATED
1888

City of Edina

PID: 0711621330004

7777 Washington Ave S
Edina, MN 55439

CITY OF EDINA, MINNESOTA
INCORPORATED
1888

APPLICANT NARRATIVE

Xcel Energy℠

414 Nicollet Mall
Minneapolis, Minnesota 55401-1993

October 26, 2011

PLANNING DEPARTMENT
OCT 26 2011
CITY OF EDINA

Cary Teague
City of Edina
4801 West Fiftieth Street
Edina, MN 55424

RE: Subdivision Application for Preliminary Plat - Newboy Addition

Dear Cary,

Xcel Energy has entered into an agreement with Newboy Real Estate, LP to acquire vacant land located at 7801, 7807 and 7815 Washington Avenue in Bloomington for the proposed development of a new electric substation. This vacant land borders Edina city limits directly to the north. Xcel Energy is working with the City of Bloomington to obtain the necessary permits, approvals and platting for the new substation. As we have previously discussed, the platting and subdivision of parcels will involve both the cities of Edina and Bloomington.

Enclosed with this letter, please find a completed Subdivision Application, required fee of $800 ($700 plus $50/Lot – 2 lots) along with a preliminary plat details for the subdivision of a portion of P.C.H. Addition in Bloomington to be combined with part of Tract F of RLS No.1283 in Edina. The purpose of this action is to combine three parcels (7801, 7807 and 7815 Washington Avenue South) and to split off a portion of P.C.H. Addition (7801 Washington) east of Nine Mile Creek that would then be combined with part of RLS No. 1283 Tract F. The subdivision and combination of the abovementioned lots results in the creation of Newboy Addition Lots 1 and 2, Block 1.

The proposed substation will be permitted, platted and constructed entirely on Lot 1, Block 1, Newboy Addition within the city of Bloomington. Lot 2, Block 1, Newboy Addition will be created by combining the area east of Nine Mile Creek of Lot 1, P.C.H. Addition with a portion of Tract F of RLS No.1283. Lot 2 will remain owned by Newboy Real Estate and there are no plans for development on Lot 2 as a part of this platting process.

The proposed new substation will be located on Lot 1, Block 1, Newboy Addition entirely within the city of Bloomington. Therefore a tree plan, grading plan, existing conditions, and other items marked "NA" on the attached checklist are not being submitted as they are not required for this application per our previous discussions.

The proposed plat will not impose any negative impacts on the health, safety or general welfare of the public and is consistent with the policies, objectives and goals of the comprehensive plan and is in compliance with City Code. Furthermore the plat will combine, not subdivide two parcels – one parcel with an existing building and another with the necessary existing parking, resulting in one platted lot for both. Combining these two parcels makes best use of the land and avoids the creation of a landlocked orphan lot that would be difficult to develop on its own.

A4

Xcel Energy is requesting the City of Edina's approval of the Newboy Addition Preliminary Plat. This platting complies with all provisions of the City Code and is required for the conveyance of land needed for the development of this substation. The proposed substation is needed to meet the electrical demand for the area and to provide for future electrical load growth. Xcel Energy makes this application in compliance with the City's statutory zoning authority, which allows for review of the platting process. However, by making this application, Xcel Energy does not waive or subordinate its utility authority to plat, develop and construct the proposed substation in order to meet its obligation to provide electric service.

Please review the enclosed application and all attachments and feel free to contact me if you have questions or need further information. I look forward to working with the City of Edina on this subdivision process.

Sincerely,

Chris Rogers
Sr. Siting and Land Rights Agent
612-330-6078, office
612-202-0343, cell
Christopher.c.rogers@xcelenergy.com

Enclosures

Cc: Allen Barnard, Best and Flannigan
Glen Markegard, City of Bloomington
Kevin Bigalke, 9 Mile Creek Watershed District

PLANNING DEPARTMENT
OCT 26 2011
CITY OF EDINA

Hennepin County Property Map - Tax Year: 2011

The data contained on this page is derived from a compilation of records and maps and may contain discrepancies that can only be disclosed by an accurate survey performed by a licensed land surveyor. The perimeter and area (square footage and acres) are approximates and may contain discrepancies. The information on this page should be used for reference purposes only. Hennepin County does not guarantee the accuracy of material herein contained and is not responsible for any misuse or misrepresentation of this information or its derivatives.

Selected Parcel Data

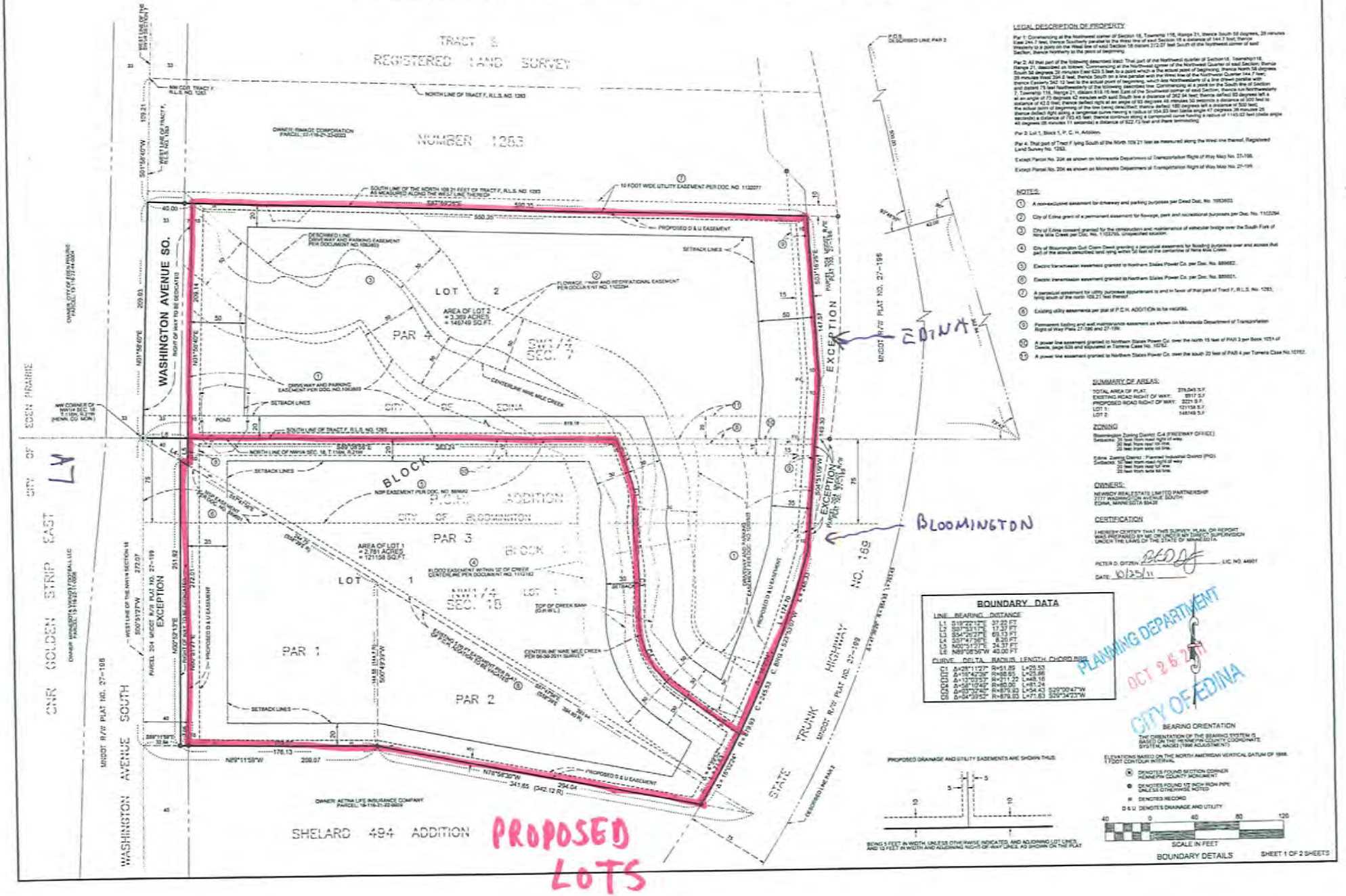
Parcel ID: 07-116-21-33-0004
Owner Name: NEWBOY REAL ESTATE LTD PTNSH
Parcel Address: 7777 WASHINGTON AVE S , EDINA , MN 55439
Property Type: COMMERCIAL-PREF
Homestead: NON-HOMESTEAD
Area (sqft): 115193
Area (acres): 2.64
A-T-B: TORRENS
Market Total: $1,644,000.00
Tax Total: $56,082.84

Date Printed: 12/6/2011 12:18:16 PM
Current Parcel Date: 12/3/2011

Sale Price: $1,660,000.00
Sale Date: 02/1996
Sale Code:

A6

PRELIMINARY PLAT NEWBOY ADDITION



LEGAL DESCRIPTION OF PROPERTY

Par 1: Commencing at the Northwest corner of Section 18, Township 116, Range 21, thence South 89 degrees, 29 minutes East 24n.7 feet, thence Southerly parallel to the West line of said Section 18 a distance of 144.7 feet, thence Westerly to a point on the West line of said Section 18 distant 272.07 feet South of the Northwest corner of said Section, thence Northerly to the place of beginning.

Par 2: All that part of the following described tract: That part of the Northwest quarter of Section 18, Township 116, Range 21, described as follows: Commencing at the Northwest corner of the Northwest Quarter of said Section; thence South 89 degrees 29 minutes East 639.5 feet to a point which is the actual point of beginning; thence North 89 degrees 29 minutes West 294.0 feet; thence South on a line parallel with the West line of the Northwest Quarter 144.7 feet; thence Easterly 342.12 feet to the actual point of beginning, which lies Northeasterly of a line drawn parallel with and distant 75 feet Northeasterly of the following described line: Commencing at a point on the South line of Section 7, Township 116, Range 21, distant 818.16 feet East of the Southwest corner of said Section; thence run Northwesterly at an angle of 75 degrees 42 minutes with said South line a distance of 362.94 feet; thence deflect 93 degrees left a distance of 42.0 feet; thence deflect right at an angle of 93 degrees 46 minutes 50 seconds a distance of 320 feet to the actual point of beginning of the line being described; thence deflect 180 degrees left a distance of 500 feet; thence deflect right along a tangential curve having a radius of 954.93 feet (delta angle 47 degrees 26 minutes 25 seconds) a distance of 790.45 feet; thence continue along a compound curve having a radius of 1145.92 feet (delta angle 45 degrees 28 minutes 11 seconds) a distance of 822.73 feet and there terminating.

Par 3 Lot 1, Block 1, P. C. H. Addition.

Par 4: That part of Tract F lying South of the North 109.21 feet as measured along the West line thereof, Registered Land Survey No. 1253.

Except Parcel No. 204 as shown on Minnesota Department of Transportation Right of Way Map No. 27-196.

Except Parcel No. 204 as shown on Minnesota Department of Transportation Right of Way Map No. 27-199.

NOTES:

1. A non-exclusive easement for driveway and parking purposes per Deed Doc. No. 1053603.
2. City of Edina grant of a permanent easement for flowage, park and recreational purposes per Doc. No. 1102294.
3. City of Edina consent granted for the construction and maintenance of vehicular bridge over the South Fork of Nine Mile Creek per Doc. No. 1102705, Unspecified location.
4. City of Bloomington Quit Claim Deed granting a perpetual easement for flooding purposes over and across that part of the above described land lying within 30 feet of the centerline of Nine Mile Creek.
5. Electric transmission easements granted to Northern States Power Co. per Doc. No. 889662.
6. Electric transmission easement granted to Northern States Power Co. per Doc. No. 889661.
7. A perpetual easement for utility purposes appurtenant to and in favor of that part of Tract F, R.L.S. No. 1253, lying south of the north 109.21 feet thereof.
8. Existing utility easements per plat of P.C.H. ADDITION to be vacated.
9. Permanent sloping and wall maintenance easement as shown on Minnesota Department of Transportation Right of Way Plats 27-196 and 27-199.
10. A power line easement granted to Northern States Power Co. over the north 15 feet of PAR 3 per Book 1051 of Deeds, page 535 and stipulated in Torrens Case No. 10767.
11. A power line easement granted to Northern States Power Co. over the south 20 feet of PAR 4 per Torrens Case No. 10767.

SUMMARY OF AREAS:

TOTAL AREA OF PLAT:	279,045 S.F.
EXISTING ROAD RIGHT OF WAY:	8917 S.F.
PROPOSED ROAD RIGHT OF WAY:	3221 S.F.
LOT 1:	121158 S.F.
LOT 2:	146749 S.F.

ZONING

Bloomington Zoning District: C-4 (FREEWAY OFFICE)
Setbacks: 30 feet from road right of way.
20 feet from rear lot line.
20 feet from side lot line.

Edina Zoning District: Planned Industrial District (PID)
Setbacks: 30 feet from road right of way.
20 feet from rear lot line.
10 feet from side lot line.

OWNERS:

NEWBOY REAL ESTATE LIMITED PARTNERSHIP
7777 WASHINGTON AVENUE SOUTH
EDINA, MINNESOTA 55439

CERTIFICATION

I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION UNDER THE LAWS OF THE STATE OF MINNESOTA.

PETER D. GITZEN LIC. NO. 44601

DATE 10/25/11

BOUNDARY DATA

LINE	BEARING	DISTANCE
L1	S19°22'12"E	37.83 FT
L2	S89°30'11"E	13.37 FT
L3	S34°26'23"E	69.13 FT
L4	S55°47'39"E	8.35 FT
L5	N01°17'12"E	24.37 FT
L6	N89°08'36"W	40.00 FT

CURVE	DELTA	RADIUS	LENGTH	CHORD	BEAR
C1	Δ=26°11'27"	R=181.85	L=29.53		
C2	Δ=19°42'29"	R=885.61	L=203.86		
C3	Δ=13°03'57"	R=211.32	L=48.16		
C4	Δ=36°10'42"	R=40.00	L=24.34	S20°30'47"W	
C5	Δ=46°51'45"	R=875.93	L=534.63	S29°30'47"W	
C6	Δ=84°39'52"	R=876.93	L=71.63	S29°34'23"W	

PLANNING DEPARTMENT
OCT 26 2011
CITY OF EDINA

BEARING ORIENTATION

THE ORIENTATION OF THE BEARING SYSTEM IS BASED ON THE HENNEPIN COUNTY COORDINATE SYSTEM, NAD83 (1996 ADJUSTMENT)

ELEVATIONS BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988. 1FOOT CONTOUR INTERVAL

- DENOTES FOUND SECTION CORNER HENNEPIN COUNTY MONUMENT
- DENOTES FOUND 1/2 INCH IRON PIPE UNLESS OTHERWISE NOTED
- DENOTES RECORD
- D & U DENOTES DRAINAGE AND UTILITY

PROPOSED DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:

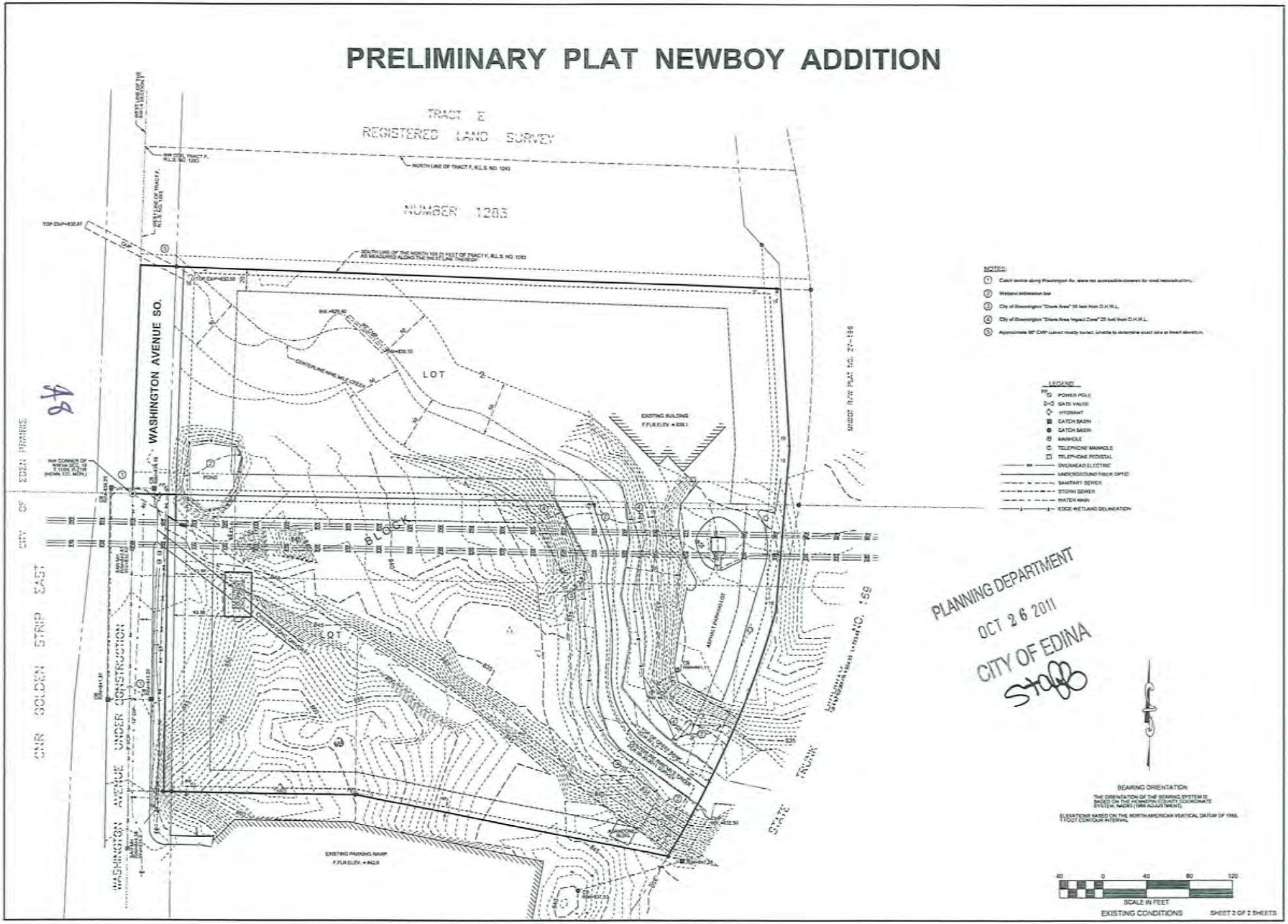
BEING 5 FEET IN WIDTH, UNLESS OTHERWISE INDICATED, AND ADJOINING LOT LINES, AND 10 FEET IN WIDTH AND ADJOINING RIGHT-OF-WAY LINES, AS SHOWN ON THE PLAT

SCALE IN FEET

BOUNDARY DETAILS

SHEET 1 OF 2 SHEETS

PRELIMINARY PLAT NEWBOY ADDITION



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PLANNING DEPARTMENT
OCT 26 2011
CITY OF EDINA

EXISTING CONDITIONS

Dec. 14, 2011 P.C. Minutes

variance, adding that he believes the plans as presented work well with the site. Fischer acknowledged the accommodations made by the applicant to accommodate the neighbor.

Motion

Commissioner Staunton moved variance approval based on staff findings and subject to staff conditions. Commissioner Potts seconded the motion.

Commissioner Forrest acknowledged the work between the applicant and the Hogan's but pointed out the Hogan lot would be impacted by construction of a new house. Continuing, Forrest said additional requirements could be placed as conditions of approval.

Commissioner Staunton said in his opinion the variance as requested actually helps the adjacent Hogan property.

Commissioner Carpenter said he agrees with the comment from Commissioner Staunton adding that if the Commission feels strongly an additional condition of approval could include that the applicant must provide additional landscaping buffering. The Commission could also suggest that the applicant and west neighbor (Hogan) work together on the landscaping plan

Mr. Bogart addressed the Commission and reiterated he was very willing to commit to a landscaping buffer along the common property line with the Hogan's. Mr. Bogart said his commitment was to his property.

A discussion ensued with Commissioners acknowledging that the Bogart's and Hogan's had worked together on house placement and that the commitment by Mr. Bogart to provide additional landscaping on his property was sufficient.

Chair Grabiel called for the vote; all voted aye; motion to approve a front yard setback variance carried.

2011.0013.11a **Preliminary Plat Approval**
Newboy Addition
Xcel Energy
7777 Washington Avenue South, Edina, MN

Planner Presentation

Planner Teague informed the Commission Xcel Energy is requesting Preliminary and Final Plat for property located at 7777, 7801, 7807 and 7815 Washington Avenue South. The proposed plat is unique in that it is located in both Edina and Bloomington. There is only one lot located in the City of Edina. (7777 Washington Ave.) No new lot would be created with this plat, and lot located in Edina lot would not change, with the exception of a portion of the 7801 Washington Avenue South lot would be attached to it. In doing so, the parking lot and building at 7777 Washington would be located on the same lot. They currently are located on separate lots. The remaining 7807 and 7815 lots would be combined and reconfigured. The requested Plat would create a reconfigured lot in Bloomington, on which Xcel Energy could build a new electric substation. (See page A8.) The applicant is working with the Nine Mile Creek Watershed District and City of Bloomington to obtain the necessary permits, approvals and platting to accommodate this request. Any approval in the City of Edina should be contingent on approval from the City of Bloomington.

Planner Teague concluded that staff recommends approval of the Preliminary and Final Plat of the Newboy Addition for Xcel Energy at 7777 Washington Avenue South based on the following findings:

- The existing property located within the City of Edina would not be impacted.
- The existing building and associated parking areas would now be located on the same lot.

Approval is also subject to the following Conditions:

1. Final Plat approval by the City of Bloomington.
2. All necessary approvals must be obtained from the Nine Mile Creek Watershed District.

Appearing for the Applicant

Chris Rogers, representing Xcel Energy

Discussion

Commissioner Platteter asked Planner Teague if Edina gains more land with the proposed reconfiguration of lots. Planner Teague responded if approved everything remains the same.

Commissioner Forrest asked Planner Teague if the Park and Recreation easement remains intact. Planner Teague responded in the affirmative.

Chair Grabiel asked if anyone would like to speak to the issue; being none; Commissioner Platteter moved to close the public hearing. Commissioner Scherer seconded the motion. All voted aye; motion carried.

Motion

Commissioner Carpenter moved preliminary plat approval based on staff findings and subject to staff conditions. Commissioner Fischer seconded the motion. All voted aye; motion carried.

VII. REPORTS & RECOMMENDATIONS

Zoning Ordinance Amendment – Drive-through

Julie Risser, member of the Energy and Environment Commission submitted to the C