



MINUTE SUMMARY
REGULAR MEETING OF THE EDINA PLANNING COMMISSION
WEDNESDAY, JANUARY 31, 2007, 7:00 PM
EDINA CITY HALL COUNCIL CHAMBERS
4801 WEST 50TH STREET

CALL TO ORDER:

Chair Lonsbury called the Planning Commission Meeting to order at 7:00 p.m. on January 31, 2007 in the City Council Chambers of the Edina City Hall

MEMBERS PRESENT:

John Lonsbury, Nancy Scherer, Kevin Staunton, Michael Schroeder, Mike Fischer, Stephen Brown, Floyd Grabel and Student Member Katie Sierks

STAFF PRESENT:

Cary Teague, Jackie Hoogenakker

I. APPROVAL OF THE MINUTES:

The minutes of the December 27, 2006, meeting were filed as submitted.

II. NEW BUSINESS:

**S-07-1 Preliminary Plat
 Haugland Company
 5000 France Avenue**

STAFF PRESENTATION:

Mr. Teague presented his staff report recommending that the City Council give preliminary approval to the RLS, dated November 13, 2006 subject to final plat approval within one year of preliminary approval or receipt of a written application requesting a time extension or the preliminary approval will be void.

APPEARING FOR THE APPLICANT:

Mr. Gene Haugland was present.

DISCUSSION BY THE COMMISSION:

Commissioner Staunton questioned if this project received Final Development Plan approval for site redevelopment. Mr. Teague responded the project received Final Development Plan and Conditional Use Permit approval a couple years ago. Continuing, Mr. Teague said the proposed subdivision is a replat of the property to accommodate the new condo units and retail space.

COMMENTS FROM APPLICANT:

Mr. Haugland 5229 West Highwood Drive, Edina addressed the Commission and explained the requested replat of the property facilitates individual ownership of condo units and retail space.

SPEAKING FROM THE PUBLIC:

No one.

ACTIONS OF THE COMMISSION:

Commissioner Fischer stated it appears to him that this request is a technicality and moved to recommend preliminary plat approval subject to final plat approval within one year of preliminary approval. Commissioner Staunton seconded the motion. All voted aye; motion carried.

**C-07-1 Conditional Use Permit
 City of Edina
 6250 Trace Avenue**

STAFF PRESENTATION:

Mr. Teague presented his staff report.

Mr. Teague concluded staff recommends that the City Council approve a Conditional Use Permit for a new fire station at 6250 Tracy Avenue. Approval is based on the following:

1. The proposal meets the required conditional use permit standards.
2. The proposal meets the required standards for a variance, because:

- a. There is a unique hardship to the property caused by the small size of the lot coupled with the 50-foot setback requirement, which make it difficult to locate a reasonably sized fire station with emergency services on the site. In addition, there are mature trees, poor soils, and slopes along the south lot line, that make it difficult to build in that area.
- b. The variance would meet the intent of the ordinance because the new fire station would generally be located within the front building line of the existing fire station.
- c. The driveway width is expanded to provide safe and quick access out of the site. The intent of the width and setback regulations for driveways is for single-family residential homes, and not designed for emergency and fire services.
- d. The City Engineer finds the proposed access off Tracy Avenue to be reasonable.

APPEARING FOR THE APPLICANT:

Edina Fire Chief Marty Scherer and Mr. Gary Hay of Hay Dobbs were present.

COMMENTS FROM APPLICANT:

Chief Scherer told the Commission a neighborhood meeting was held to inform neighbors of the proposal with neighbors indicating their support for the project.

Mr. Hay addressed the Commission and explained the existing fire station does not meet today's requirements for fire and rescue nor does it meet standard requirements for female fire and rescue personnel. Mr. Hay said the Edina Fire Department will now be called Edina Fire and Rescue, adding 70 percent of all calls are rescue and 30 percent of all calls are fire. With graphics Mr. Hay pointed out details of the proposed new fire and rescue station to include accommodations for female fire and rescue personnel. Concluding, Mr. Hay explained the existing fire station does not meet with today's technical standards. He also pointed out the size of the existing fire bays are not adequate enough to accommodate the size of today's emergency vehicles.

SPEAKING FROM THE PUBLIC:

No one.

DISCUSSION BY THE COMMISSION:

Chair Lonsbury noted the building requires setback variances from the Zoning Code and asked Commissioners for their input on the project and required variances.

Commissioner Fischer said it appears to him that an important element for a fire and rescue station is location, adding this location is perfect with direct access to a major highway system. Continuing, Commissioner Fischer stated the size of the parcel could be considered a hardship because it can't adequately accommodate a reasonably sized fire station with emergency services if the required setbacks were strictly imposed.

Chair Lonsbury pointed out as a corner lot (with Cross-town Highway to the south), that it should also be noted that the property directly adjacent (north) to the subject site is City Park property. Chair Lonsbury concluded this piece of property is in a very unique location.

Commissioner Staunton said he agrees the lot is small; however, that may not be adequate as hardship. Commissioner Staunton said other facts are also important including the fact that a fire station has existed on this site for many years and the proposed renovation and rebuild is only maintaining what has existed.

A discussion ensued between Commissioners noting the subject property is uniquely located. Highway and roadway to the south and east, City Park to the north and wetlands and Colonial Church to the west. Commissioners also noted the subject site is a fire station that has been operating from this location for years, adding the renovations and rebuild of the fire station are important to the entire community of Edina.

ACTIONS OF THE COMMISSION:

Commissioner Brown moved to recommend Conditional Use Permit approval (with variances) subject to the plans presented and subject to the conditions and findings presented by City Staff noting:

- The proposal upgrades a valuable public service. The new facility would provide the fire department and emergency services with a state of the art facility and equipment to better serve the residents of Edina.
- The proposal meets the conditional use permit findings.
- The proposal meets all minimum zoning ordinance standards other than the requested variances; adding the variances are justified and meet the three hardship tests of; reasonable use, unique circumstances, and the proposed new station would not alter the essential character of the neighborhood.

Commissioner Grabiell seconded the motion. All voted aye; motion carried.

LD-07-1

**United Health Group
9701 Data Park Drive**

STAFF PRESENTATION:

Mr. Teague informed the Commission the applicant is proposing to divide their existing property for the purpose of redeveloping the site with two 10-story office buildings and two parking ramps. The majority of the property is located in the City of Minnetonka; however, the easterly 33 feet of the site abutting 169, is in the City of Edina.

Mr. Teague concluded staff recommends approval of the lot division as requested.

ACTIONS OF THE COMMISSION:

Commissioner Staunton moved to recommend lot division approval. Commissioner Fischer seconded the motion. All voted aye; motion carried.

III. INTERGOVERNMENTAL BUSINESS:

Amendment to Edina City Code 850 Regarding Variance Denials

STAFF PRESENTATION:

Mr. Teague explained the Planning Commission directed staff to investigate how other cities regulated variance applications that were denied. After obtaining information from other cities staff formulated a draft amendment that would prohibit reapplying for the same or part of a variance that was denied within twelve (12) months of the date of the order of denial. A new application may be permitted to the same denying board, if new evidence or a change of circumstances warrant it.

DISCUSSION BY THE COMMISSION:

Commissioners expressed their support for the language change and directed Mr. Teague to have the City Attorney review the proposed changes. It was also suggested that since the boards rotate that each board be labeled or somehow identified for tracking purposes.

SPEAKING FROM THE PUBLIC:

No one.

ACTIONS OF THE COMMISSION:

Commissioner Staunton moved to recommend the following changes to City Code Section 850.04, Subdivision 1.

Denial. No application for a variance which has been denied in whole or in part shall be resubmitted within twelve (12) months of the date of the order of denial, except that a new application may be permitted to the same denying board, if new evidence or a change of circumstances warrant it.

Commissioner Fischer seconded the motion. All voted aye; motion carried.

IV. ADJOURNMENT:

The meeting was adjourned at 7:45 p.m.

Submitted by