



**MINUTE SUMMARY**  
**Regular Meeting of the Edina Planning Commission**  
**Wednesday, October 31, 2007, 7:00 PM**  
**Edina City Hall Council Chambers**  
**4801 West 50<sup>th</sup> Street, Edina, MN**

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**MEMBERS PRESENT:**

**Chair, John Lonsbury, Julie Risser, Nancy Scherer, Kevin Staunton, Mike Fischer, Steve Brown, Floyd Grabel and Katie Sierks**

**MEMBERS ABSENT:**

**Michael Schroeder and Arlene Forrest**

**STAFF PRESENT:**

**Cary Teague and Jackie Hoogenakker**

**I. APPROVAL OF THE MINUTES:**

The minutes of the September 26, 2007, meeting were filed as submitted.

**II. NEW BUSINESS:**

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**LD-7-6, 8, 9, 10**

**Lot Divisions for Gerald Arneson at  
5216 Malibu Drive  
5305 Malibu Drive  
5309 Malibu Drive  
5317 Malibu Drive &  
7021 McCauley Trail**

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**STAFF PRESENTATION:**

Mr. Teague informed the Commission the applicant is proposing to split each of his properties into two lots to create a lot line separating the two dwelling units at the party-wall. Mr. Teague explained each of the units is separated by a fire-wall and each of the units has separate utilities.

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

**COMMISSION COMMENTS:**

Commissioner Grabiell suggested that staff consider requiring some type of “association requirement” if a property owner applies to “split” their double dwelling unit. Commissioner Grabiell said he wants to ensure that the property is equally maintained, i.e. same roof shingles and exterior building materials, etc. Mr. Teague said private covenants could be a possibility, adding he will research what other cities do and will bring his findings back before the Commission at a later date.

**COMMISSION ACTION:**

**Commissioner Brown moved to recommend lot division approvals for 5216, 5305, 5309, 5317 Malibu Drive and 7021 McCauley Trail. Commissioner Scherer seconded the motion. All voted aye; motion carried.**

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**LD-07-11            Lot Divisions for Richard Strom at  
7015 McCauley Trail**

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**STAFF PRESENTATION:**

Mr. Teague informed the Commission the applicant is proposing to split each of his properties into two lots to create a lot line separating the two dwelling units at the party-wall. Mr. Teague explained each of the units is separated by a fire-wall and each of the units has separate utilities.

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

**COMMISSION ACTION:**

**Commissioner Brown moved to recommend lot division approval for 7015 and 7013 McCauley Trail. Commissioner Scherer seconded the motion. All voted aye; motion carried.**

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**Z-07-5                    Comprehensive Plan Amendment  
Rezoning, Preliminary Development Plan,  
Zoning Ordinance Amendment  
James Nelson, Eberhardt Advisory, LLC  
77<sup>th</sup> Street & Parklawn Avenue area**

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## **STAFF PRESENTATION:**

Planner Teague informed the Commission at this time the Edina Gateway Pentagon Park redevelopment team would like to present their redevelopment proposal for the Pentagon Park office area on an informational basis.

Planner Teague concluded the redevelopment request requires the following:

- A Comprehensive Guide Plan Amendment
- Rezoning from Planned Office District to Mixed Development District-6
- Preliminary Development plan for the entire site
- Zoning Ordinance Amendment in the MDD-6 District to reduce the minimum acreage amount from 50 acres to 20 acres.

## **PRESENTATION BY DEVELOPMENT TEAM:**

Mr. Jim Nelson presented the development team; Laura Lindhom, Eberhardt, Craig Lau, Paul May and Daniel Green of Miller Dunwiddie, Daniel Coyle, Todd Halunen and JoNette Kuhnau of Kimley Horn.

Mr. Nelson addressed the Commission and informed them he along with the development team are very enthused about the proposed revitalization plan for this area, adding they are present this evening to share their vision. Mr. Nelson presented the following points on the redevelopment of the Gateway area. They are as follows:

- redevelopment of a mixed use area designed for intergenerational living
- development of state of the art Class A commercial space
- construction of a hotel
- revitalization of an aging commercial district
- enhanced connections between uses
- promotion of environmental stewardship and;
- proposed design follows the evolving Comprehensive Plan without variances

Continuing, Mr. Nelson related to the Commission a brief history of the area.

Mr. Nelson noted the proposed redevelopment would include:

- an 80,000 GSF 150 room hotel
- NW office building (4-10 stories) supported by parking structure
- E office building (4-10 stories) supported by parking structure
- SW office building (4-12 stories) supported by parking
- 62 townhouse units north of West 77<sup>th</sup> Street

- 492 independent living units north of West 77<sup>th</sup> Street
- 151 unit assisted living building supported by parking north of West 77<sup>th</sup> Street

Mr. Nelson also asked the Commission to note that Burgundy Place which was recently rezoned and approved for redevelopment is located in the North West corner of the Pentagon office site area and is not included in this development proposal.

Concluding Mr. Nelson said over the next 25 years Edina will see an increase in residents 65 years and over. The proposal as presented would mix uses and create an integrated housing development including a care facility component that would promote housing diversity. Continuing, Mr. Nelson said this mixed use area would also create recreational opportunities, medical clinic facilities as well as restaurant and service retail uses. Mr. Nelson said he believes the proposed development is a new “gateway” for the future with the construction phase looking at completion in 7 to 10 years.

**COMMENTS FROM THE COMMISSION:**

Commissioners expressed the following:

- the City is still in the process of amending the Comprehensive Plan; how does this fit
- is the proposal consistent with the existing Comprehensive Plan
- the project needs further or a true representation of “green” areas
- density and traffic flow concerns
- ensure environmental measures are implemented, solar panels, green roofs, ground source heat pumps, etc.
- the project has the appearance of over parking
- there is concern about “rush hour” impact on intersections
- density
- height
- appears the “mixed use” aspect of the proposal is “split”, pointing out housing appears on only one side of West 77<sup>th</sup> Street and is not integrated throughout the entire Pentagon office park site.

Chair Lonsbury noted this is the Commissions first “look” at the proposal pointing out redevelopment of this area will occur in phases with the responsibility of the Commission to “react” to the plan on a general basis. Chair Lonsbury said the official public hearing on the Gateway proposal by the Planning Commission will be on November 28<sup>th</sup>. Chair Lonsbury invited any public present to speak to the proposal.

## **PUBLIC COMMENTS:**

Mr. William Hanson, 7457 West Shore Drive, would like the developer to provide a photo mock-up (if at all possible) of what the hotel and office buildings would look like from his rear yard. He added he is a little worried about building height.

Mr. Crane, 4952 Poppy Lane, told the Commission he applauds the developer and their interaction with the community; however he is still worried about building height. He added he would like the height capped at 50 feet. Mr. Crane said in his opinion buildings with height should be kept in the France Avenue area of Edina.

Mr. Tom Fletcher, 2190 Excelsior Boulevard, told the Commission he is a nearby Edina business owner and has some concern that the site has been designed with the backs or rear of the proposed housing element facing West 77<sup>th</sup> Street. Mr. Fletcher added he wants the developer to make sure the rear design of the project looks good and is “user friendly” along West 77<sup>th</sup> Street.

Ms. JoEllen Dever, 7405 Oaklawn Avenue, said her concern is with the environment to include construction noise, increased traffic noise and emission pollution.

Mr. Peter Winsel, representing Seagate (adjoining business site) told the Commission his company has some concern about traffic, but is more concerned about construction vibrations. He explained his business deals with very sensitive machines and vibrations from construction equipment could have a negative impact on equipment.

Mrs. Crane, 4952 Poppy Lane, said she has a concern with the hotel and what a large retail venture such as this could pose for the area. Mrs. Crane said at this time she resides near an office park that is very quiet during the evenings and weekends. Introducing a retail element like the hotel and accompanying amenities will bring traffic into the area day and night. Concluding, Mrs. Crane said she is also worried about safety; especially from strangers wandering throughout the area.

**Chair Lonsbury thanked the development team and neighbors for attending the meeting reiterating the Planning Commission will hear and act on this proposal at their November 28, 2007 Planning Commission meeting.**

## **Building Height for Single-Family homes Setbacks for Egress Windows**

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### **STAFF PRESENTATION:**

Mr. Teague reminded the Commission over the past year, the City Council and Commission have had continued discussions on the “massing” issue, adding because of these discussions the City Council has adopted three specific changes to the zoning. (Rebuild home- the lowest floor elevation of a new home may not be more than one-foot above the lowest floor elevation of the home that was torn down, a sliding scale setback on lots between 61-75 feet in width and bay windows were eliminated as a setback exception). Mr. Teague concluded that staff recommends revising the ordinance to take out the “rebuild home” only part and limit all construction, whether it is a tear down rebuild or an addition to increasing the first floor elevation to no more than one foot above the existing first floor elevation.

Mr. Teague explained the City Council has also requested the planning commission to examine the issue of setbacks for egress windows. The State Building Code requires the opening of a window well to be at least 4 feet from the house. According to the City Engineer, egress windows and their associated window wells, are causing drainage problems in side yards with homes that are located within 10 feet of the side lot line. Therefore, staff is recommending that the closest opening for a window well may not be closer than 5 feet to a side lot line.

Chair Lonsbury invited members of the audience to speak to the proposed Ordinance changes:

### **PUBLIC COMMENT:**

Mr. Fletcher, 5137 Halifax Avenue, told the Commission he lived at “ground zero” when one talks about massing. Mr. Fletcher said the continuing changes in his neighborhood have caused him to move to another community; however, he said as changes are made to the Code he doesn’t want those changes to prevent him from improving his Edina property.

Mr. Lon Oberpriller, 5510 Highwood Drive, said he believes the proposed Code changes are just nibbling at the Code. Mr. Oberpriller said he believes the “massing” issue in Edina is more with the small lots, adding in his opinion the way the Code presently reads it’s “one size fits all” and that isn’t working any longer. Mr. Oberpriller pointed out Edina is comprised of neighborhoods created by subdivisions. Mr. Oberpriller said it would make sense to him to adjust the Code by lot size.

Public Comment period closed.

**COMMISSION COMMENT:**

Commissioners expressed their agreement that “one size doesn’t fit all” pointing out Edina is comprised of many different neighborhoods and each “neighborhood” is made up of unique characteristics. Commissioners acknowledged that in many parts of the City many residents feel that the changes in their neighborhoods are too radical, and something must be done to either prohibit those changes or at least slow them down. Commissioners noted with so many differing lot sizes in Edina the correct course to take may be to look at Floor Area Ratio (FAR). Staff acknowledged that State law requires that all properties are considered on an equal basis, adding if changes are made to Code changes should be across the board. If one wants to target specific neighborhoods the zoning designation would need to be changed neighborhood by neighborhood.

With regard to the proposed change to Code regarding egress windows it was pointed out that making it more difficult to place an egress window in the basement area may trigger tear downs in our smaller lot neighborhoods so property owners can achieve more living space. Continuing, Commissioners added if the concern of the City Council is drainage that issue is addressed at the building permit phase and maybe re-review of that process could be considered. Safety was also mentioned as an issue with regard to egress windows with the concern expressed that children could fall into these window wells especially if the “clear” area between homes is limited.

Chair Lonsbury pointed out that this evening the Commission has been asked to comment on the two proposed changes, adding he believes separating the two would be best. Commissioners agreed.

**COMMISSION COMMENT – EGRESS WINDOWS:**

Commissioners acknowledged that changing the Code to address egress windows would mostly impact the smaller lot areas of Edina. A discussion occurred with regard to the potential for an increase in setback variances if Code is changed and the “new” setback can’t be met. Commissioners acknowledged if a hardship is present (e.g. egress window can’t be placed in the rear yard) that hardship would be considered when acting on a variance request for placement of an egress window. Commissioners noted that variances are considered on a case by case basis with hardship one of the factors the Zoning Board looks at.

**Commissioner Brown moved to recommend amending the ordinance to read that the closest opening for a window well not be closer than 5 feet to a side lot line. Commissioner Grabiell seconded the motion. All voted aye; motion carried.**

**COMMISSION COMMENT – BUILDING HEIGHT / ELEVATION:**

Commissioners stated they are pleased with the recommendations of the massing task force; however, believe that what the City is experiencing will be with us for a while unless even more measures are implemented. Commissioners suggested that the City Council review past Commission meetings on massing and also review past recommendations by the massing task force. Commissioners also suggested that to control massing that a formula may need to be developed that responds to the different character districts that are found in the City.

**Commissioner Grabiell moved to recommend amending the ordinance to read “increasing the first floor elevation to no more than one foot above the existing first floor elevation”. Commissioner Fischer seconded the motion. All voted aye; motion carried.**

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**A-07-7                      Ordinance Amendment to  
Edina’s Federal Emergency Management Agency  
Flood Insurance Rate Map**

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**STAFF PRESENTATION:**

Mr. Teague informed the Commission this could be considered a “housekeeping item” and explained the flood elevation has been lowered in a certain area in Edina. This change triggers an amendment to Edina’s Federal Emergency Management Agency Flood Insurance Rate Map.

Mr. Teague noted the City Engineer has reviewed the documents and does not object to the revisions. Mr. Teague concluded staff recommends that the City Council approve the amendment as presented.

**COMMISSION ACTION:**

**Commissioner Fischer moved to recommend approval of the ordinance amendment to Edina’s Federal Emergency Management Agency Flood Insurance Rate Map. Commissioner Grabiell seconded the motion. All voted aye; motion carried.**

**III.     INTERGOVERNMENTAL BUSINESS:**

Chair Lonsbury noted the Commission received the Council Connection and other governmental business papers.

**IV. ADJOURNMENT:**

The meeting adjourned at 9:45 PM

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Submitted by