



MINUTE SUMMARY
City of Edina Planning Commission
Wednesday, March 28, 2007, 7:00 PM
Edina City Hall Council Chambers
4801 50th Street West

MEMBERS PRESENT:

Chair Lonsbury, Julie Risser, Nancy Scherer, Michael Schroeder, Mike Fischer, Steve Brown, Arlene Forrest, Kevin Staunton, Katie Sierks

MEMBERS ABSENT:

Floyd Grabel

STAFF PRESENT:

Cary Teague, Jackie Hoogenakker

I. APPROVAL OF MINUTE SUMMARY:

The Minutes of the February 28, 2007, meeting were filed with a correction.

II. NEW BUSINESS:

MASSING STUDY REPORT - Cary Teague

STAFF PRESENTATION:

Mr. Teague addressed the Commission and explained the City Council recently held a study session on the "Massing" issue. They considered the Massing Report by Hay Dobbs; comments from staff; and comments from the Planning Commission discussion held in November. The City Council recommended changes be made to the zoning ordinance to address the issue.

Mr. Teague informed the Commission at this time the Commission is asked to consider and recommend amendments to the zoning ordinance, and the Commission's recommendations would then be brought to the City Council and be discussed at a joint work session.

Mr. Teague referred the Commission to the following staff report, findings and suggestions as listed below:

The following report provides information and background for the Planning Edina's current zoning ordinance does have some good tools that already address the massing issue. The city's 25-30% building coverage requirement, and increased setback of 6 inches for every foot over 15 feet in height, does limit building size. Additionally, the city's median lot width and size requirement also keep new subdivisions in areas with lots that are larger than 9,000 square feet and wider than 75 feet these areas consistent with the existing neighborhoods. In fact, the City of Bloomington recently amended their ordinance, to include similar median requirements, to address an issue they had with smaller lots being created in areas with large lots. They also made some height and setback adjustments. Further amendments would "beef up" Edina's ordinance, such as further restricting the building height in residential districts, the building/hard surface coverage requirement, and/or adding a floor area ratio requirement.

Staff conducted a survey of 15 cities to compare how other communities regulate single-family homes to address the massing issue.

Building height. Edina's current height maximum is 30 feet. The measurement is taken from the ground elevation at street side of a home to the mid point of a pitched roof. Edina's height maximum is generally the same and at times more restrictive than other cities. Nine of the 15 cities allow up to 35 feet in height, though half of those measure from the average elevation at the ground. The remaining cities are at 30 feet.

Consideration could be given to lowering the height requirement and/or changing how height is measured.

Where to start the height measurement? There have been instances where grades have been altered by bringing in fill and building retaining walls, which has resulted in making a house appear taller even though it meets the height requirement.

A way to address the issue would be to measure from the lowest or average original grade or elevation prior to construction. The City of Bloomington measures from the lowest existing ground elevation. The cities' of Eagan, Maple Grove and Plymouth measure from the average grade or elevation of the highest and lowest points at or within 5 feet from the foundation. (However each of these cities' maximum height is 35 feet.

There may be times however, that would require possible exceptions to this rule. Those instances would be to correct an existing drainage problem, or to get the house above an existing sewer or water table. In those instances, a variance may be justified.

Where to end the measurement? Another consideration would be to measure height to the ridge line or top of the roof, rather than to the mid-point. Of the 13 cities surveyed only Apple Valley and Bloomington measure building height to

the top of any roof. Apple Valley's height requirement is 35 feet. Houses in Bloomington can be up to 40 feet tall, but may not be more than 2 stories. All other cities measure height the same way as Edina, to the mid point of a pitched roof.

Building/hard surface coverage. Edina's maximum building coverage of 25-30% is generally in line with those cities' that regulate lot coverage. Of the 15 cities surveyed, 8 do not regulate lot coverage in the low-density residential districts. The more restrictive communities include Bloomington, which has an impervious surface maximum of 35%, and Eagan, which has a building coverage maximum of 20-25%.

The City of Minneapolis was not formally surveyed, but they require a maximum building coverage of 60% and are proposing an amendment to 50%. Minneapolis has a hardcover maximum of 75% and is considering an amendment to 65% to address the issue of massing.

Floor area ratio. Floor area ratio (FAR) may be the most direct tool for dealing with this issue, since it regulates house mass based on lot size. FAR's are defined in the zoning code as "the gross floor area divided by the lot area." A maximum FAR, depending on lot size could be considered, along with a median FAR, and/or a not to exceed the largest FAR in the neighborhood.

Establishing a FAR for single-family homes would limit the maximum size of a house based on the lot area -- the larger the lot area, the larger the house. As an example, the maximum floor area of a house on a 9,000-square-foot lot with a FAR of 0.50 would be 4,500 square feet.

Current use of FAR. Edina has a maximum FAR requirement for all zoning districts, except R-1, R-2, and PRD 1-4 zones. The current requirements are as follows:

PRD-5, rest homes convalescent homes and nursing homes: 1.2
PSR-4, multi-family primarily senior housing: 1.2
MDD, mixed development: non-residential 0.5; mixed non-residential and residential aggregate 1.0
POD, office: 0.5
PCD-1, commercial: 1.0
PCD-2, commercial: 1.5
PCD-3, commercial: 0.5–1.0 depending on location
PID, industrial: 0.5–0.6
RMD, medical: 1.0

Practices in other cities. Staff surveyed several suburban cities in the Twin Cities area to determine FAR practices. None of the cities had a FAR requirement for single-family homes, although, FAR's are common for multi-family, commercial and industrial uses.

The City of Minneapolis is considering an FAR of .5 to address the massing issue. Minneapolis has many areas with lots that are 5,000 square feet in size, that are being redeveloped with homes that are approaching 5,000 finished square feet.

Staff also researched several national cities and found several that use FAR requirements for single-family homes. Cities that have a FAR requirement for single-family homes usually exclude detached buildings, such as sheds and detached garages.

Graduated FAR. Some cities use a graduated FAR requirement -- the maximum allowed FAR increases inversely with lot size. In other words, the house size may increase as the lot size decreases. Given the city's existing ordinance has a different regulation for lots greater than and less than 9,000 square feet could be established.

Conditional Use Permit. In surveying other cities, staff found that some use a conditional use permit to give their city councils some discretion in allowing homes that exceed the FAR, but would be consistent with the character of an established neighborhood. One approach would be to allow a conditional use permit where the majority of homes on the same street are at least as large as the proposed home.

Advantages of FAR include:

- Floor area ratios are the most direct tool for restricting building mass, based on lot area.
- FAR's are an objective standard that avoids inconsistent, subjective decisions on neighborhood character or building design with each application.

Disadvantages of FAR include:

- With the variety of lot sizes and neighborhoods in the City, it may be difficult to find a FAR that works city-wide.
- Council would have more difficulty denying a specific proposal that met the allowed FAR.
- FAR limits do not necessarily address setbacks and building height concerns.

The use of the conditional use permit and/or graduated floor area options mentioned above may help mitigate these disadvantages.

Mr. Teague presented the recommended changes:

Height. Building height would be measured from the existing grade, to prevent builders from filling in around a foundation to meet the height requirement. Additionally, the average elevation would be used, rather than just the front elevation to take into account sloping lots.

Side yard setback. The Council recommended a sliding scale of setback requirements based on lot width. This would slightly increase the separation between houses.

Exceptions. The Council recommended eliminating bay windows that don't extend to the ground level. This would combat the issue of allowing three feet of building into the setback if the wall is brought in at ground level.

Mr. Teague concluded at this time the planning commission is asked to add to and/or revise the proposed ordinance as necessary. The finalized ordinance would be brought to the City Council to discuss in a joint work session.

COMMENTS FROM THE COMMISSION:

Commissioner Scherer thanked Mr. Teague for his thorough report, and proposed Code changes adding one issue that is of major concern to her is raising the existing grade to "accommodate" a new structure. She said in her opinion something must be implemented to prevent a drastic grade change that impacts neighboring properties. Commissioner Scherer noted in one instance a one level house was removed from a site and was replaced by a much taller two story structure, pointing out this type of change really impacts neighboring properties. Commissioner Scherer commented the City could look at averaging grade and/or building height of properties on either side of the proposed rebuild or renovation.

Commissioner Fischer commented at least in his opinion it is difficult to create general rules that apply to the whole City.

A discussion ensued with Commissioners noting there is a difference between averaging the existing grade of adjoining properties and averaging the height of adjoining buildings. It was also observed if one were to average the height of adjoining structures that type of Code change could create a "ramblers forever" scenario in certain areas. Commissioners agreed the staff did a good job recognizing the areas in the Code that could be changed to aide in future developments and redevelopments.

Continuing discussion focused on the suggestion of using Floor Area Ratio (FAR). Commissioners agreed that establishing an area within 300-500 feet of a property proposing a tear-down rebuild and/or major renovation makes sense; however one has to be careful with language. If Code were to read a new home (or major renovation) can't be any larger than the largest home within a certain number of feet, Code would clearly have to define what is included in that FAR calculation. How basements, attics, and dormers would be calibrated, etc

would have to be succinctly spelled out. The Commission also noted when calculating FAR planning staff would have to rely on the Assessing Departments ability to provide individual property information.

SPEAKING FROM THE PUBLIC:

Andrew Brown, property owner of home(s) on the 5700 block of Zenith Avenue, 5500 block of Park Place and Lexington Street. Mr. Brown said he is against the “massing” that has been occurring in his neighborhoods. He said in his opinion massing creates environmental and economic issues, and can negatively impact the standard of living. Mr. Brown asked the Commission to create a Code that establishes standards that are applicable to each neighborhood.

Ms. Lois Meish, 5528 York Avenue, addressed the Commissioner and told them her concern is with building height. She explained she is worried about property owners or developers raising the grade of a property and building an overly large home. Ms. Meish said there are already overly large homes in her neighborhood that have been on the market for quite some time. Ms. Meish stated in her opinion massing impacts the quality of life. Sunlight, privacy and views can be forever altered when new construction or extreme re-modeling occurs. Ms. Meish concluded she would like the City to draft a reasonable ordinance, adding she isn't against change she just would like to see more respectful developments and redevelopments occur.

Ms. JoEllen Dever, 7405 Oaklawn Avenue, told the Commission one of her issues is the sprawl of townhouse and condominium developments as they relate to building height. Mr. Teague informed Ms. Dever, at this time the proposed Code changes would only relate to R-1 residential properties, multifamily developments would be addressed in the Comprehensive Plan. Ms. Dever said height is also an issue for her in the R-1 neighborhoods.

Mr. Lon Oberpriller, 4517 Rutledge Avenue, told the Commission as a land developer he has observed that the price of land impacts the size of the house that will be built or remodeled. Mr. Oberpriller said usually land price is 30% of the equation, pointing out in Edina land prices are very high. Mr. Oberpriller said if a builder does their job properly a quality project can be achieved. Mr. Oberpriller said structures can be manipulated to visually bring down roof lines - lessening mass. Continuing, Mr. Oberpriller said changes to the Code that relate to building height can be a touchy issue and establishing a FAR can limit future redevelopment, adding limiting oneself could prevent neighborhoods from improving. Concluding, Mr. Oberpriller said he doesn't disagree with the discussion thus far; however, wants Commissioners to realize that because of the age of housing in Edina replacement housing is the future; and changes made to Code could inhibit development.

Chair Lonsbury closed the hearing

COMMENTS AND ACTIONS FROM THE COMMISSION:

Commissioners acknowledged this issue is very emotional. Commissioners commented future discussions need to occur, and acknowledged changes to the Code will impact future development and redevelopment in Edina. Noting there may be some neighborhoods in the City that need some form of “protection”. Commissioners agreed Edina’s present Code is good; however, there are pieces of the Code that need to be reviewed and amended. Commissioners agreed that Mr. Teague has identified areas of concern with his suggested changes to Code. Commissioners directed Mr. Teague to find out if Edina presently has enough tools to implement some of the suggested changes. Commissioners noted a lot of information needs to be made available to staff especially if the Commission and Council consider implementing a FAR.

Chair Lonsbury directed Mr. Teague to look at the technical aspects of implementing a FAR change to the Code and to also consider a more global look on amending the Code. Chair Lonsbury suggested that Mr. Teague not only meet with residents, but with developers, realtors and citizens from the Affordable Housing Committee and ask them how the proposed changes would impact them.

Commissioner Risser said it would also be very helpful to provide the Commission with examples of an amendment using FAR to limit building size. In all instances the Commission said they realize change can also bring about unintended consequences.

III. INTERGOVERNMENTAL BUSINESS:

Chair Lonsbury noted the Commission received in their packet notice that Edina is a “Fit City”.

IV. ADJOURNMENT:

Commissioner Risser moved to adjourn the meeting at 8:10 PM.

By _____