



MINUTE SUMMARY
Meeting of the Edina Planning Commission
August 29, 2007, 7:00 PM
Edina City Hall Council Chambers
4801 West 50th Street
Edina, MN

MEMBERS PRESENT:

Chair John Lonsbury, Julie Risser, Kevin Staunton, Michael Schroeder, Mike Fischer, Steve Brown, Floyd Grabiell, Arlene Forrest and Katie Sierks

MEMBERS ABSENT:

Nancy Scherer

STAFF PRESENT:

Cary Teague and Jackie Hoogenakker

I. APPROVAL OF THE MINUTE SUMMARY:

The minutes of the June 27, 2007, meeting were filed as submitted.

II. NEW BUSINESS:

**Z-07-3 &
P-07-4**

**Rezoning, Final Development Plan and
Comprehensive Plan Amendment Approval**
Joe Costa
6444-6446 Xerxes Avenue, Edina, MN

STAFF PRESENTATION:

Mr. Teague informed the Commission the applicant is proposing to remodel the existing duplex from a medical office and residential use to a medical office. The south half of the duplex currently is a chiropractic office, and the north half is rented out as a residential unit. The applicant is proposing to remodel the interior of the duplex to turn it entirely into a medical office for Dr. Paula Schwartz, who is an audiologist. There would be no exterior changes to the existing structure. Mr. Teague told the Commission the request requires the following:

1. A Comprehensive Guide Plan amendment from multiple family residential to office;
2. A Rezoning from R-2, Double Dwelling Unit District to POD-1, Planned Office District; and
3. Final Development Plan.

Mr. Teague told the Commission staff also recommends that the city council adopt a resolution approving the Guide Plan amendment from Multiple Family Residential to Office based on the following findings:

1. The guide plan change is consistent with the adjacent land uses to the south and west.
2. The site functions more with the offices uses to the south, than the duplexes to the north. The site gains access directly from Xerxes. All of the other duplexes gain access from a back alley.
3. The project would meet all zoning ordinance requirements.
4. The guide plan change would be consistent with the public health, safety, and welfare.
5. The appearance of the existing duplex would not change.

Mr. Teague recommended that the city council adopt the ordinance on approving the rezoning from R-2, Double Dwelling Unit to POD-1, Planned Office District with a Final Development Plan for Jane and Joseph Costa at 6444 and 6446 Xerxes Avenue based on the following findings:

1. The proposed medical office use is consistent with the office uses to the south and west.
2. The appearance of the existing duplex would not change.
3. The site functions more with the offices uses to the south, than the duplexes to the north. The site gains access directly from Xerxes. All of the other duplexes gain access from a back alley.
4. The project would meet all zoning ordinance requirements.
5. The rezoning would be consistent with the proposed guide plan designation.
6. The proposed development would not have an adverse impact on neighborhood traffic or property values.

Approval of the final development plan is subject to the following conditions:

- Site plan date stamped July 26, 2007.
- Building elevations/existing picture of building date stamped July 26, 2007, and
- The property owner is responsible for replacing any required landscaping that dies.

APPEARING FOR THE PROPOSAL:

Mr. Joe Costa & Ms. Jane Costa
Mr. Tom and Dr. Paula Schwartz - Audiologist

COMMISSION COMMENTS:

Commissioners raised the following questions:

- If the other half of the duplex is rezoned would the subject site be large enough to accommodate a 4-story building.
- If the subject site is entirely rezoned to POD-1 could it be combined with the property to the south to facilitate a larger development; and
- how can the Commission ensure that this rezoning request would not trigger further rezoning along Xerxes Avenue to the north?

RESPONSE FROM PLANNER:

Mr. Teague told the Commission if the entire site were rezoned POD-1 hypothetically this site could be redeveloped with another building; however, Mr. Teague pointed out the subject site is rather small and if a 4-story building were pursued the building footprint would be extremely small because the required front/side/rear setbacks would come into play. Continuing, Mr. Teague said in response to the subject site combining with the adjacent property to the south, again, that is something that could happen; however, any proposed change/combining of properties, etc. would require Final Development Plan and/or replat approval from the City. Concluding, Mr. Teague said in response to the question of a domino effect to the north, he did not believe that would occur. In his opinion this site functions differently from others and lends itself well to this change. No other doubles along Xerxes Avenue have direct access off Xerxes. Their access is off an alley system at the rear of their properties.

Commissioner Fischer agreed with Planner Teague's last comment pointing out half of this double bungalow is already zoned POD-1, and that characteristic is unique to this property alone. No other doubles along Xerxes (to the north) can make that claim.

COMMENTS FROM COMMISSIONERS:

Commissioner Brown said he has a concern that rezoning this property may limit the City's flexibility in the long term, pointing out the subject site would be bisected if West 65th Street (directly west) would be extended to intersect Xerxes Avenue.

APPLICANT PRESENTATION:

Mr. Costa addressed the Commission and told them he has owned this building since the 1970's and when he purchased the building it was, as is, half residential, half office. Mr. Costa explained the request to rezone the other side of the double to office use is to facilitate the sale of the entire property to Dr. Schwartz. Mr. Costa added Dr. Schwartz is an audiologist and her goal is to combine both sides to function as one medical office.

Mr. Schwartz told the Commission at this time Dr. Schwartz rents office space at 7450 France Avenue, adding purchasing and renovating this building will enable them to operate a state of the art audiology facility. Continuing, Mr. Schwartz said this renovation would bring a quality medical business to the City of Edina.

COMMENTS FROM COMMISSIONERS:

Commissioners continued to express concern over the possibility of office "creep" along Xerxes Avenue to the north if this property is rezoned. They also stressed they have a real concern about the potential for combining sites to create a larger office building. Commissioners also acknowledged Xerxes Avenue is a busy street limiting the attraction for families with small children.

Mr. Costa informed the Commission he also owns the double bungalow directly to the north of the subject property and has no plans to request a change in zoning for this double. Chair Lonsbury told Mr. Costa any combining of his properties (subject site and directly north) would not be looked on favorably. Mr. Costa reiterated he has no plans for the property to the north of the subject site, adding if he did that would be the request before the Commission.

SPEAKING FROM THE PUBLIC:

Ms. Julie Neville, 6330 Xerxes Avenue told the Commission she lives and owns a double bungalow to the north and is very concerned with the possibility of office "creep". Ms. Neville said living in this area has many issues, adding she feels abandoned by the City because her area is not serviced adequately by City maintenance crews.

Chair Lonsbury told Ms. Neville the Commission shares her concerns

COMMISSION COMMENTS:

A discussion ensued with Commissioners acknowledging there is concern about the potential for “office creep” along this block and the combining of mutually owned lots to create larger building sites, but with that said, the Commission acknowledged that any redevelopment in this area would require the property owner(s) to apply to the City for any changes. The Commission also acknowledged this property should not be burdened with “future possibilities”, but cautioned the proponent they would not look favorably on any combining of properties in the future. Concluding the Commission stated they recognize the uniqueness of this site. It is a site that contains two different zoning districts, residential and office. It is a site that is isolated from properties to the north, with direct access off Xerxes Avenue, not an alley system (and it should remain that way). Commissioners also acknowledged that this site is the logical break between office and residential to the north. At present the subject site is an office building with an apartment attached. It is an anomaly that was built years ago, and rezoning the other half of the site to match what has existed for years is logical.

ACTION BY THE COMMISSION:

Commissioner Risser moved to recommend Rezoning, Final Development Plan and Comprehensive Guide Plan Amendment for Z-07-3 and P-07-4 based on the following Guide Plan findings:

- A. The guide plan change is consistent with the adjacent land uses to the south and west.**
- B. The site functions more with the offices uses to the south, than the duplexes to the north. The site gains access directly from Xerxes. All of the other duplexes gain access from a back alley. The site has no apparent option to access the alley.**
- C. The project would meet all zoning ordinance requirements.**
- D. The guide plan change would be consistent with the public health, safety, and welfare.**
- E. The long-time existence of the chiropractic clinic within the existing building.**

Based on the following Rezoning findings:

- A. The proposed medical office use is consistent with the office uses to the south and west.**
- B. The long-time existence of the chiropractic clinic within the existing building.**
- C. The site functions more with the offices uses to the south, than the duplexes to the north. The site gains access directly**

- from Xerxes. All of the other duplexes gain access from a back alley. The site has no apparent option to access the alley.
- D. The project would meet all zoning ordinance requirements.
 - E. The rezoning would be consistent with the proposed guide plan designation.
 - F. The proposed development would not have an adverse impact on neighborhood traffic or property values.

and subject to the following conditions:

- A. the site must be developed and maintained in substantial conformance with the following plans, unless modified by the conditions below:
 - Site plan date stamped July 26, 2007.
 - Building elevations/existing picture of building date stamped July 26, 2007; and
- B. The property owner is responsible for replacing any required landscaping that dies.

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

III. INTERGOVERNMENTAL BUSINESS:

Chair Lonsbury acknowledge receipt of the Council Connection and minutes from the Transportation Commission.

IV. PUBLIC COMMENT & ADJOURNMENT:

There was no additional public comment. The meeting was adjourned by Commissioner Risser at 7:50 PM.

Submitted by