



MINUTE SUMMARY
Regular Meeting of the Edina Planning Commission
Wednesday, October 29, 2008, 7:00 PM
Edina City Hall Council Chambers
4801 West 50th Street

MEMBERS PRESENT:

Chair John Lonsbury, Julie Risser, Nancy Scherer, Kevin Staunton, Michael Schroeder, Steve Brown, Floyd Grabiell, Arlene Forrest and Patrick Schnettler

MEMBERS ABSENT:

Mike Fischer

STAFF PRESENT:

Cary Teague and Jackie Hoogenakker

I. APPROVAL OF THE MINUTES:

The minutes of the October 1, 2008, Planning Commission Meeting were filed as submitted.

II. NEW BUSINESS:

2008.15 Preliminary Plat
Galleria Shopping Center
3510 70th Street West

Planner Presentation

Planner Teague informed the Commission the applicant is proposing a plat to create separate lots for the Crate & Barrel and Gabbert's stores and their associated parking areas. There would be no additions to any existing structures to accommodate this request.

Planner Teague concluded staff recommends that the city council give preliminary approval to the Registered Land Survey, date stamped September 26, 2008.

Approval is subject to the following conditions:

1. The city must approve the final plat within one year of preliminary approval or receive a written application for a time extension or the preliminary approval will be void.

Appearing for Applicant

Keith Dahl, URS

Commission Comments

Commissioner Brown questioned if the Commission recommends approval of the replat could redevelopment or parking problems occur in the future. Planner Teague responded that he doesn't believe so. He explained setbacks and parking are looked at from the entire site, not the individual interior lot lines.

Public Comments

There were no public comments.

Commissioner Brown moved to close the public hearing. Commissioner Scherer seconded the motion. All voted aye; motion carried.

Commission Action

Commissioner Staunton moved to recommend preliminary plat approval subject to staff conditions. Commissioner Brown seconded the motion. All voted aye; motion carried.

**2008.0016.8a Final Development Plan
Eberhardt Properties LLC/Thomas Nelson
3930 49 ½ Street**

Planner Presentation

Planner Teague informed the Commission the applicant is proposing to tear down the existing two-story 14,000 square foot office building, and rebuild a new two-story 13,130 square foot office building. Planner Teague added the request

requires a Final Development Plan and a 3-foot parking lot setback variance from 10 to 7 feet.

Planner Teague concluded staff recommends approval of the revised Final Development Plan and Variance to tear down and re-build a new office building at 3930 49-1/2 Street West for Eberhardt Properties LLC based on the following findings:

- 1) With the exception of the variance, the proposal would meet the required standards and ordinances for a Final Development Plan.
- 2) The new building would be generally the same size as the existing building.
- 3) The proposal meets the required standards for a variance, because:
 - a. The proposed use is reasonable. It provides a reasonable on-site parking area for a new building that would be the same size as the existing building.
 - b. The new parking area is a minor encroachment into the rear yard setback.
 - c. The encroachment would be located into a hill that separates the site from the adjacent residential property to the north; therefore, the proposed encroachment would not be visible from the residential property. The parking area sits 12 feet lower than the home to the north.

Approval of the Final Development Plan is also subject to the following conditions:

- 1) The site must be developed and maintained in conformance with the following plans, unless modified by the conditions below:
 - Site plan date stamped September 26, 2008.
 - Building elevations date stamped October 23, 2008.
 - Grading plan date stamped September 26, 2008.
 - Landscape plan date October 23, 2008.
- 2) Submit a copy of the Minnehaha Creek Watershed District Permit. The city may require revisions to the approved plans to meet the District's requirements.
- 3) Per Section 850.10. Subd. 3. B of the City's Zoning Ordinance, a letter of credit, performance bond or cash deposit must be submitted in the amount equal to 150% of the proposed landscaping prior to issuance of a certificate of occupancy for the building.
- 4) The basement area shall not be remodeled into office space. The basement may be used for storage and mechanical space only.
- 5) Pavers along the front, side and rear of the building must be pervious, and subject to approval of the city engineer.

- 6) The on-site parking stalls must be striped.
- 7) Compliance with all conditions listed by the city engineer in his memo dated October 24, 2008.
- 8) The property owner must enter into a Skyway Agreement with the City of Edina to connect the second story walkway to the parking ramp. Cost of the connection would be the responsibility of the property owner of 3930 49-1/2 Street West. The Skyway Agreement is subject to approval of the Edina Housing and Redevelopment Authority.

Applicant Presentation

James Nelson, 7790 Lochmere Terrace, introduced members of his development team; Tom Nelson, Dan Green, and Ben Hartberg. Continuing, Mr. Nelson informed the Commission the 3930 building was constructed 50 years ago with a 2nd floor added in 1985. Mr. Nelson said he acquired the property in 1980. Mr. Nelson noted the uniqueness of the 50th & France neighborhood, adding Edina Realty has been a building tenant since the mid 1980's and the only tenant since 2003. Mr. Nelson stated Edina Realty intends to occupy the new building if the request for Final Development Plan is approved. Continuing, Mr. Nelson told the Board the building as it exists today is in need of renovation and updated utilities. He told the Commission the building is un-sprinkled and not very energy efficient. Mr. Nelson reported the internal layout of the building also doesn't function as efficiently as it could. Concluding, Mr. Nelson said tearing down the building and constructing a new building technically the same size, but with better functionality, is a solution worth exploring.

Mr. Green addressed the Commission and pointed out key elements of the project. Mr. Green noted the parking for the building continues to be located in the rear with access provided via a shared access drive to the east. Continuing, Mr. Green noted the landscaping for the site will be upgraded and additional storm water control will be implemented. Mr. Green said exterior building materials will be brick, stone and cast stone with metal panel accents. Concluding, Mr. Green said the building will also have a roof top mechanical system.

Public Comment

Chair Lonsbury opened the public hearing.

Mr. Hosmar Brown, 7104 West Shore Drive, questioned the reasoning behind tearing down a 50 year old building. Mr. Brown also questioned if the driveway access is shared. Concluding, Mr. Brown pointed out traffic continues to grow in the 50th and France area.

Commissioner Brown moved to close the public hearing. Commissioner Scherer seconded the motion. All voted aye; public hearing closed.

Commission Comments

A discussion ensued with Commissioners in general agreement that they could support the project as presented. Commissioners requested that the applicant make sure that the driveway or alley way located on the east side of the building that provides access to the parking stalls at the rear of the building is a legally recorded cross easement. Commissioners also discussed the rear yard parking setback variance, acknowledging that the angled parking stalls actually enhance parking and vehicle circulation. Concluding the Commission indicated their support for the project and requested variance.

Commission Action

Commissioner Forrest moved to recommend Final Development Plan approval with variance based on staff findings and subject to staff conditions including the change memo. Commissioner Grabiell seconded the motion. All voted aye; motion carried.

III. PUBLIC COMMENT:

No additional public comment.

IV. INTERGOVERNMENTAL BUSINESS:

Commissioner Brown, representing the Transportation Commission told the Commission the West 70th Street surveys have been received and the response was very good. Commissioner Brown added that he will also be attending the SAC meeting in the next week. Commissioner Grabiell asked Commissioner Brown how many residents filled out and returned the surveys. Commissioner Brown responded the response was excellent-51%.

Commissioner Risser, representing the Energy and Environment Commission told the Commission their outreach continues and at this time the EEC is encouraging everyone to “get a blanket for their hot water heater”. Commissioner Risser said blanketing the hot water heater really helps.

V. ADJOURNMENT:

Commissioner Risser moved adjournment at 8:05 pm

Submitted by