



MINUTE SUMMARY
Edina Planning Commission
Wednesday, March 26, 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, Mike Fischer, Steve Brown, Floyd Grabiell, Arlene
Forrest and Katie Sierks**

STAFF PRESENT:

Cary Teague, Joyce Repya, Jackie Hoogenakker

I. APPROVAL OF MINUTE SUMMARY:

The minutes of the March 26, 2008, meeting were filed with an addition from Commissioner Scherer.

II. NEW BUSINESS:

Revisions to the Plan of Treatment/Country Club District, Edina

Staff Presentation

With a power point presentation Ms. Repya briefly explained the history of the Country Club District and highlighted the proposed revisions to the Plan of Treatment. Concluding Ms. Repya stated the proposed revisions to the Plan of Treatment strikes a balance of protecting the historic integrity of the district, while acknowledging personal property rights.

Appearing for the City

Joyce Repya, Staff Liaison to the Heritage Preservation Board, Robert Vogel, Heritage Preservation Consultant, Chris Rofidal, Chair, Edina Heritage Preservation Board and Bob Kojetin, Heritage Preservation Board Member.

Commission Comments/Questions

Commissioner Grabiell asked Ms. Repya if the original plat of the district had conditions/covenants, and if so, what became of them. Ms. Repya responded the original plat did contain restrictive covenants, adding they expired in 1964. Continuing, Commissioner Grabiell asked if staff has found properties benefit financially because of the historic designation of the District. Mr. Vogel responded in the affirmative, adding it has been found that in designated historic districts the value of those properties has increased between 1 and 20 percent. The increase in value is usually immediate and positive.

Commissioner Staunton questioned if newly constructed homes would be automatically designated. Mr. Vogel responded if a home in the district is razed and a new home constructed in its place the new home would not be designated as historic; however the new house would have to meet Plan of Treatment requirements. Mr. Vogel further explained no home in the Country Club District is "individually" designated. The entire district or plat(s) is what is historically significant, adding its one designated district with 550 parts. Commissioner Staunton asked Mr. Vogel if there are any resources available to residents of an historic house or district when they upgrade their home, noting upgrading a home in an historic district is financially different than upgrading a home elsewhere. Mr. Vogel said at this time there are no tax incentives available to residents of the district when they upgrade; however, the legislature may be considering such a move.

Chair Lonsbury told the Commission at this time the Heritage Preservation Board is seeking Commission support for the proposed revisions to the Plan of Treatment as they move forward to the Council for their approval.

Commissioner Scherer moved that the Edina Planning Commission supports the revisions to the Plan of Treatment based on the following findings:

- **The great majority of the houses in the district (over 90%) were built between 1924 and 1944, when Thorpe controlled the Country Club development and enforced rigid architectural standards on new home construction through restrictive covenants.**
- **The most important threat to the historic integrity of the Country Club District comes from teardowns – specifically, the demolition of historic homes and the construction of architecturally inappropriate new homes.**
- **Overall, the level of preservation of historic facades in the district is outstanding, particularly in comparison with other neighborhoods of similarly-aged homes (including those in historic districts) in the Twin Cities.**

- The data at hand show that historic facades in the district are, by and large, intact.
- The loss of historic integrity caused by inappropriate remodeling and additions has been proportionally small – less than 5% of the homes more than 50 years old have been torn down or “remodeled” beyond recognition.
- With respect to additions over their lifetimes, most of the homes in the district have been added to – the survey indicates that structural additions more than fifty years old often reflect an important aspect of the pattern of residential development in the district.
- The district contains a small number of buildings and open spaces that are not historically significant and therefore would not be considered heritage preservation resources; and
- The survey data demonstrate that the typical Country Club homeowner has been a good steward of neighborhood heritage.

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

S-08-1

**Bravura Construction
6120 Brookview Avenue
Preliminary Plat Approval**

Staff Presentation

Planner Teague addressed the Commission and explained the applicant is proposing to tear down the existing single-family home and detached garage to create two lots for new single-family homes. The following is required:

1. A subdivision;
2. Lot width variances from 75 feet to 50 feet for each lot; and
3. Lot area variances from 9,000 square feet to 6,689 square feet for each lot.

Planner Teague explained that both lots would gain access off Brookview Avenue. Within this neighborhood, the median lot area is 6,797 square feet, median lot depth is 133.79 feet, and the median lot width is 50 feet. The applicant had originally proposed to build two 2-story homes; each would measure 26 feet in height. The footprint of the proposed homes was 1,936 square feet. A large Oak tree would have to be removed as part of the new home construction. Mr. Teague asked the Commission to note that staff has received several letters from residents in the area that are opposed to the project.

Planner Teague concluded staff recommends that the City Council approve the two lot subdivision of 6120 Brookview Avenue with the lot width variances from

75 feet to 50 feet for each lot, and lot area variances from 9,000 square feet to 6,689 square feet for each lot based on the following findings:

1. Except for the variances, the proposal meets the required standards and ordinance for a subdivision.
2. The proposal meets the required standards for a variance, because:
 - a. There is a unique hardship to the property caused by the existing size of the property which is two times the size of most lots in the neighborhood.
 - b. The requested variances are reasonable in the context of the immediate neighborhood. The existing lot is both larger and wider than most properties in the area. The proposed subdivision would result in two lots more characteristic of the neighborhood.
 - c. The proposed lots would be the same size as the lots were originally platted.

Approval is also subject to the following conditions:

1. Prior to issuance of a building permit, the following items must be submitted:
 - a. Submit evidence of Minnehaha Creek Watershed District approval. The City may require revisions to the preliminary plat to meet the district's requirements.
 - b. A curb-cut permit must be obtained from the Edina Engineering department.
 - c. A survey showing existing and proposed contours. Drainage from the new home, garage and driveway needs to drain to Brookview Avenue. The drainage plans is subject to review and approval of the city engineer.
 - d. Utility hook-ups are subject to review of the city engineer.
2. The building footprints of the new homes may not exceed 25% of the lot and the height of the new homes shall be limited to 25 feet.

Appearing for the Applicant

Navid Pouladian, Bravura Construction

Applicant Presentation

Mr. Pouladian addressed the Commission and told them his plan is to construct two new homes that retain the character of the neighborhood. Mr. Pouladian informed the Commission the proposed homes would be "green" constructed meeting LEED standards. Mr. Pouladian acknowledged that

neighbors are concerned if this subdivision is approved that a very large oak tree would be lost, adding they are correct in that assumption; however, Mr. Pouladian further added in place of the large oak tree he will plant four new trees. Concluding, Mr. Pouladian explained to the Commission the revised house design plans presented this evening, their price points and estimated energy consumption as “green” constructed homes.

Chair Lonsbury opened the public testimony and explained what the Commission is also considering this evening is if this site is redeveloped what’s best for the neighborhood one new “large” house or two smaller houses (if the subdivision were approved). Chair Lonsbury pointed out the proposal as presented may meet the “500 foot” neighborhood standards set forth in the subdivision ordinance; however, variances are required because the ordinances have been amended since the time of original platting. Chair Lonsbury asked the speakers when they speak to also state their preference; one house or two.

Public Comment

The following residents spoke in opposition to the proposed two lot subdivision:

- Mr. and Mrs. Whitbeck, 6128 Brookview Avenue
- Joseph Lawver
- Turk Miroslava, 6141 Brookview Avenue
- Ms. Landgren, 6104 Brookview Avenue
- Carol Carmichael, 6112 Brookview Avenue
- Laura Westin, 6136 Brookview Avenue
- Tom Moher, 6100 Brookview Avenue
- Charles Hughes, 6136 Brookview Avenue
- Christine Smyth, 6121 Oaklawn Avenue

Residents cited tree loss and that the neighborhood character, in their opinion, would be compromised by constructing two homes on a “lot” where one home has existed. Residents also expressed concern that the size of the proposed homes would be excessive, pointing out the homes in their neighborhood aren’t “McMansions”. The majority of speakers also indicated one house is preferable.

Special mention was also made regarding the historical significance of the neighboring house located at 6128 Brookview Avenue.

Residents also expressed concern that they haven’t been able to review the revised plans presented this evening.

Mr. Dulas, 4609 Bruce Avenue and Mr. Jay Carlson, 5304 Oaklawn Avenue, told the Commission that while they do not reside in the area in question they understand how emotional redevelopment can be in established neighborhoods and suggested that when subdivisions or home re-designs come along that the

applicant provides the streetscape (to scale) including the proposed house(s). It was also noted that construction of one larger home might be more out of character than two smaller homes.

Commissioner Brown moved to close the public testimony. Commissioner Fischer seconded the motion. All voted aye; motion carried.

Commission Comment

Commissioners expressed their misgivings on just receiving revised house plans and discussed the issue of what would be best for this lot; one large house or two smaller houses. Commissioners acknowledged that the applicant should be applauded for “going green” and his revisions to the proposed house plans that address the on-going massing concerns; however, they reiterated it is difficult to act on something just seen. Continuing, Commissioners pointed out that at this time the City is undertaking the issue of massing, adding the proposed subdivision with variances is coming during a time of review and debate. Commissioners also acknowledged since variances are required they are afforded more flexibility in recommending house size; including footprint and building height.

After further discussion the majority of Commissioners felt in this instance that it would be best to table this request to allow the proponent the opportunity to resubmit plans to scale that also illustrate the streetscape including the proposed houses. Commissioners agreed with a previous speaker that it is important that staff, commissioners and neighbors are able to view “scaled” plans that illustrate how the new homes would “fit in” with the surrounding homes.

Commissioner Grabel moved to table S-08-1 to allow the applicant time to submit plans to scale that include the new houses. Commissioner Fischer seconded the motion. Ayes; Risser, Staunton, Schroeder, Fischer, Brown, Grabel, Forrest, Lonsbury. Nay, Scherer. Motion to table carried.

P-08-2

**Final Development Plan
Thomas Barbeau/Reginald Gassen
7275 East Bush Lake Road, Edina**

Request:

Building Expansion

Staff Presentation:

Planner Teague addressed the Commission and explained the applicant is proposing to build a two-story, 11,130 square foot addition to the rear of the

existing office-warehouse building at 7275 East Bush Lake Road. The request requires a Final Development Plan with a 4.3 foot rear yard setback variance from 26.2 feet to 21.9 feet.

Planner Teague concluded staff recommends approval based on the following findings:

- 1) With the exception of the rear yard setback variance, the proposal would meet the required standards and ordinances for a Final Development Plan.
- 2) The proposal meets the required standards for a variance, because:
 - a. There is a unique hardship to the property caused by the existing location of the building in relation to the angled rear lot line.
 - b. The variance would meet the intent of the ordinance because the building is reasonably sized given the lot area.
 - c. The encroachment into the required setback would be a minor point intrusion.
- 3) There would be adequate parking to support the addition.

Planner Teague stated approval of the Final Development Plan is subject to the following conditions:

- 1) Subject to staff approval, the site must be developed and maintained in substantial conformance with the following plans, unless modified by the conditions below:
 - Site plan date stamped February 25, 2008.
 - Landscape plan date stamped December 21, 2007
 - Building elevations date stamped February 25, 2008.
- 2) Submit a copy of the Nine Mile Creek Watershed District Permit. The city may require revisions to the approved plans to meet the District's requirements.
- 3) All conditions required by the city engineer in his March 13, 2008 memorandum.

Appearing for the Applicant:

Mr. Gassen, property owner, and Mr. Thomas Barbeau, applicant were present.

Applicant Presentation:

Mr. Barbeau asked the Commission for their support, pointing out when the site was originally developed the building was constructed rather far back from the

front property line, pointing out building placement created the need for a variance.

Commission Action:

Commissioner Brown moved to recommend Final Development Plan Approval including variance based on staff findings and subject to staff conditions. Commissioner Grabiell seconded the motion. All voted aye; motion carried.

Update on Massing – Cary Teague

Staff Presentation

Planner Teague addressed the Commission explaining the City Council has asked the Planning Commission to consider ordinance amendments regarding a maximum floor area ratio (FAR) and building height to the ridge line for single-family homes.

Planner Teague introduced Mr. Brian Lubben of Collaborative Design, adding Mr. Lubben was hired to work closely with staff on “massing”. Planner Teague told the Commission Mr. Lubben has prepared a power point presentation with computer modeling of three existing neighborhoods to assist in illustrating how the proposed changes to the Code impact homes in these neighborhoods.

Mr. Lubben delivered his presentation.

Commission Comments

Commissioners acknowledged that the computer modeling presented by Mr. Lubben really helps clear-up issues, adding the program used to create the visual models is incredible and would benefit the City if purchased. Commissioners pointed out Edina is a completely developed community and visual aids would be of great value. Continuing, Commissioners stated that at this time the Commission doesn’t just want to just “patch up” the ordinance to “control” massing, it wants to do more.

Planner Teague reiterated the City Council asked the Commission to consider ordinance amendments regarding floor area ratio (FAR) and building height to ridge line for single family homes. Planner Teague pointed out the current

zoning ordinance has some good tools that already address massing; however, despite current regulations there is still a concern that Edina's ordinance doesn't go far enough.

Commissioner Brown asked Planner Teague if there is a time-line on this review process. Planner Teague stated he doesn't believe there's a time-line. Commissioners stressed they want to "get it right", adding they don't want to prevent growth, but harness it.

Chair Lonsbury opened the public testimony, adding at this time his intent is to keep it open.

Public Comment

Dan Carlson, 6229 Parkwood Road. Mr. Carlson stated he is concerned with the proposed changes to Code, adding in his opinion if these changes are adopted they will be taking away his rights as a property owner. Mr. Carlson said if passed the proposed changes would be dictating that he can't build or rebuild to the size/square footage enjoyed by his neighbors. Mr. Carlson said in his opinion the City Council is discriminating against square footage, adding square footage is what people live in. Concluding, Mr. Carlson stressed that he doesn't want the proposed changes to the existing Code adopted that take away his rights as a property owner.

Sandy Carlson, 5304 Oaklawn Avenue told the Commission she lives in an area of change and as a result of recent development she has lost her sunlight and privacy. Ms. Carlson encouraged the Commission to make decisions that take the neighboring properties into account. Ms. Carlson stated for her it's not really about house size, it's about lot size and what is appropriate.

Richard Whitbeck, 6128 Brookview Avenue suggested that the Commission look at Minnetonka's ordinance as it relates to massing. He said he believes their Code ties remodeling/rebuilds to a radius (400 feet) or what's present on the same block. This would help all neighborhoods, not just the smaller lot areas.

Turk Miroslava, 6141 Brookview Avenue pointed out the Commission should also consider if the remodeling or rebuild "fits" the neighborhood. Mr. Miroslava said on his street there are two homes that haven't sold because they are out of character with the neighborhood.

Jackie Whitbeck, 6128 Brookview, told the Commission to also consider the "carbon footprint" of these large homes.

Jane Lonnquist, 4510 Drexel Avenue, thanked the Commission for their interest in addressing the issue of massing.

Kitty O'Dea, 4610 Bruce Avenue, told the Commission she agrees with the steps taken thus far to amend the Ordinance to help reduce the impact of new construction or remodeling, adding in her opinion implementing a FAR is a step in the right direction.

Ms. Westin, 6136 Brookview Avenue, stated she believes more research is needed on energy and sunlight issues, adding in her opinion "do homes really need to be as large as they are being built". Ms. Westin stated loss of sunlight can be very detrimental to many people. Ms. Westin pointed out the Schaefer Road/Parkwood Road area is a completely different neighborhood than the Brookview neighborhood and maybe the massing focus should be on neighborhoods.

Jay Carlson, 5304 Oaklawn Avenue told the Commission he believes adopting a FAR is a great tool in reducing massing; however, Mr. Carlson added he also believes looking at each neighborhood individually makes the most sense and is the best solution to the issues facing Edina.

A discussion ensued with Commissioners in agreement that "massing" and changes to the Code are very important and further discussion and input from staff, Council, Commissioners and the public is necessary. Chair Lonsbury suggested that the public testimony be held open until the next Commission meeting on April 30th.

Commissioner Grabel moved to suspend the public testimony until the next meeting of the Planning Commission on April 30, 2008. Commissioner Brown seconded the motion. All voted aye; motion carried.

Commission Comments

Chair Lonsbury thanked members of the audience for their input and directed a question to Planner Teague regarding Minnetonka's ordinance, adding if his memory serves him correctly the Commission considered something similar in the past. Planner Teague responded Chair Lonsbury is correct; however, basing house size on street or radius is difficult, adding that at this time Edina doesn't have information available on the exact size of every house in the City. Chair Lonsbury asked if that is the reason the proposed change is based on lot width. Planner Teague responded that is correct.

A discussion ensued with Commissioners pointing out changing Code to include a FAR in their opinion may not be the only tool to control massing. Commissioners pointed out at this time zoning regulations are already in place and amending the Code may not be enough. Commissioners stated Mr. Carlson's point is well taken; that at least in his neighborhood large houses aren't a problem. Expanding on that point it was noted that a conclusion shouldn't be drawn that large houses on small lots are inappropriate; noting the houses in the

Country Club District are large, the lots are small, but in that area those homes “fit”; however, they wouldn’t “fit” in other “small lot” neighborhoods. Commissioners also acknowledged the concern with property values and the assumption that the changes occurring within Edina are only increasing those values, adding that can only go so far. Commissioners stated managing appropriate house size in each neighborhood may be the key. Commissioners stressed that maintaining neighborhood character is the goal; noting in the Comprehensive Plan Character districts were defined. Commissioners acknowledged how the City gets there is the challenge. Continuing, in was also noted that detached garages, teardowns, vs. extensive remodeling, minimal remodeling, grading etc. are also important issues that should be discussed further.

Planner Teague noted if the Commission is serious about developing neighborhood districts to regulate massing individual neighborhoods would need to be identified and rezoned. Planner Teague said in his opinion it would be challenging to “draw” neighborhood lines.

Commissioner Brown pointed out character districts were already identified in the Comprehensive Plan and that could be a starting point. Commissioner Grabiell suggested that the City solicit help from realtors in defining neighborhoods - if that’s the way the City is heading.

Chair Lonsbury stated at this time the Commission isn’t ready to act on the proposed Code amendments. Chair Lonsbury said in his opinion it would be beneficial if the Commission and Council had a workshop on this issue. Concluding, Chair Lonsbury said the message this evening is that the Commission needs more input before we act.

III. INTERGOVERNMENTAL BUSINESS:

Chair Lonsbury acknowledged receipt of back of the packet materials.

IV. ADJOURNMENT AND ADDITIONAL PUBLIC COMMENT:

The meeting was adjourned at 10:00 PM

Submitted by