



MEETING MINUTES
Regular Meeting of the Edina Planning Commission
Tuesday, January 27, 2010, 7:00 PM
Edina City Hall Council Chambers

MEMBERS PRESENT:

Chair Mike Fischer, Julie Risser, Nancy Scherer, Kevin Staunton, Michael Schroeder, Steve Brown, Floyd Grabel, Jeff Carpenter, Arlene Forrest and Karwehn Kata

STAFF PRESENT:

Cary Teague and Jackie Hoogenakker

I. APPROVAL OF THE MINUTES:

The minutes of the November 24, 2009, meeting were filed as submitted.

II. NEW BUSINESS:

**2010.0001 Colonial Church
6200 Colonial Way, Edina**

Planner Presentation

Planner Teague informed the Commission the proposal is to develop the vacant wooded portion of the Colonial Church site with a 4-story, 150-unit senior assisted living facility. Planner Teague explained that to accommodate the request, the following is required:

1. A Comprehensive Guide Plan Amendment from Public/Semi-Public to High Density Residential. The High Density designation would allow the residential assisted living use.
2. A Rezoning from R-1, Single-Dwelling Unit District to PRD-5, Planned Residential District -5. The PRD-5 District only allows rest homes, convalescent homes and nursing homes.
3. A Preliminary Development Plan.
4. Final Development Plan.
5. Subdivision to create a new lot for the senior housing development.

Planner Teague said with regard to parking that the applicant has demonstrated that enough parking would be provided for both the existing Colonial Church and the senior convalescent home. For the church, the required parking spaces must be one-third the maximum seating capacity of the largest place of assembly. The maximum capacity of the sanctuary in the church is 800 people; therefore, 266 spaces are required. The site plan demonstrates 341 parking spaces available for the church. The north lot contains 222 spaces, the west lot 20 spaces, and the east lot contains 99 spaces. The east lot was previously owned by Colonial Church, but dedicated to the City of Edina when the church was built back in 1978. Colonial Church and the City entered into a "Parking Lot Agreement" that allows the church to use the lot for their parking requirements.

For the housing component, the required parking is one space for every four patients or residents based on the maximum capacity of the building, plus one space per employee on the major shift, plus one space per vehicle owned by the building's management. Based on 194 resident maximum, 45 employees, one vehicle and one bus, 95 spaces are required. The site plan shows that there would be 93 surface stalls and 90 enclosed stalls.

Planner Teague noted the access to the site would be from two entrance/exits from Colonial Way. There would be surface parking in front of the building, with the loading area behind the building facing crosstown highway. A circular pick-up and drop off area would be located in front of the building. Access to the underground garage would be from the front of the building on the west side. The proposal would meet all minimum drive-aisle width standards. Continuing, Planner Teague stated the city engineer has reviewed the proposed plans and found them to be acceptable

Planner Teague reported that to accommodate the new building, 333 trees and shrubs would have to be removed. Based on the perimeter of the site, the applicant is required to have 54 over story trees and a full compliment of under story shrubs. The applicant is proposing an extensive landscape plan that includes 132 over story trees that would remain, and planting back 207 over story trees and 572 understory trees and shrubs.

Planner Teague concluded that staff recommends that the City Council approve the Comprehensive Guide Plan Amendment from Public/Semi-Public to High Density Residential; Preliminary Rezoning from R-1, Single-Dwelling Unit District to PRD-5, Planned Residential District -5; Preliminary Development Plan; and Preliminary Plat for the Waters senior living development at 6200 Colonial Way. Approval is subject to the following findings:

1. The guide plan change is consistent with the adjacent land uses.

2. The senior housing development is consistent with the multiple family housing developments to the west.
3. The guide plan change would be consistent with the public health, safety, and welfare.
4. If affordable housing is included, it would assist in meeting the City's goal of 212 affordable housing units by 2030.
5. The existing roadways would support the proposed project.
6. The proposed project would meet the following goals of the Comprehensive Plan:
 - a. Promote increased housing opportunities and a diversity of housing types by promoting the creative and innovative use of land designated for residential/commercial mixed-use while complementing the character of existing development and promoting transit use and other mobility alternatives.
 - b. Seek to accommodate the total projected 1,500 new households projected to locate in the City by the year 2030.
 - c. Promote a vision of community that is inclusive of a wide range of ages, incomes, and abilities and offers a wide range of housing options for Edina's residents. This broad vision of community is a cornerstone to promoting workforce housing that includes a wide range of housing prices and options, based on the principle that those who contribute to the community should have the opportunity to live here. Also, this housing vision strengthens and reinvigorates community institutions and makes the City an attractive destination for young families.
 - d. Increase the appeal of Edina's housing stock in order to attract new residents and retain current residents.
 - e. Promote lifecycle housing to support a range of housing options that meet people's preferences and circumstances at all stages of life.
 - f. Acknowledge the interrelationship between land use and transportation, and support the expansion of existing transportation infrastructure-capacity through wise land use.

Approval allows the applicant to proceed with Final Development Plan and Final Rezoning, subject to the following Conditions:

1. The Final Development Plan must be generally consistent with approved Preliminary Development Plans date stamped December 29, 2009.
2. All traffic mitigation measures as required by the Transportation Commission and traffic study must be followed.
3. Final Park Dedication requirement would be determined at Final Development Plan approval.

4. Final Development Plans must be reviewed and approved by the Nine Mile Creek Watershed District. Plans may be revised per conditions of the Watershed District.
5. Final Development Plans shall comply with all of the conditions outlined in the city engineer's memo dated January 21, 2010; the building official's memo dated January 7, 2010; and the fire marshal's memo dated January 11, 2010.

Appearing for the Applicant

Jay Jensen, Waters Senior Living, Ted Yoch, and Jack Ford, Colonial Church

Discussion

Commissioner Staunton asked Planner Teague the reason the rezoning request was to PRD-5. Planner Teague responded the PRD-5 zoning district is specifically for rest homes, convalescent homes and nursing homes. An assisted living facility falls into that category.

Commissioner Carpenter asked Planner Teague if there are other "rezoning options". Planner Teague responded senior housing is permitted in all PRD zoning districts, MDD-4, 5 & 6 and PCD zoning districts; however, the services provided in this facility are unique. Commissioner Carpenter asked if Planner Teague knew of any vacant parcels (other than redevelopment) where this project would work. Planner Teague responded Edina is almost completely developed and he doesn't believe there are any vacant parcels available to accommodate a building of this size. Concluding, Planner Teague reported that in the City of Edina there are two other sites with a PRD-5 zoning, adding both are located along Crosstown near Xerxes Avenue.

Commissioner Staunton questioned the reasoning behind staff's recommendation to require 20 units of affordable housing in the project. Planner Teague responded that the City of Edina has established a goal to provide 212 units of affordable housing units by 2020. Planner Teague noted because Edina is almost completely developed there aren't many opportunities available to achieve the established goal. Development and redevelopment is one opportunity the City has in achieving its goal.

Applicant Presentation

Mr. Jensen addressed the Commission and explained their goal is to create a community with a foundation on "Residents First" and "Wellness". Mr. Jensen said the Waters would be more than a building; it is the creation of a community. Continuing, Mr. Jensen said the average resident age is 86 years and most are women. The facility requires two meals per day to ensure overall wellness and to encourage residents (that are physically able) to get together. Mr. Jensen stated

one of the unique things about this concept is that services are brought to the residents. Mr. Jensen reported that at this time the proposed building has a waiting list and the majority of those on the list are Edina residents or live within three miles of the site.

Mr. Jensen referred to trees and landscaping and reported the most common trees on the site are Box Elder; however, there are also a number of Oak trees and other trees along the pond that will be preserved. Mr. Jensen said with regard to landscaping the goal is to provide a buffer to Colonial Church and its neighbors, adding at this time the trees proposed for landscaping would be evergreen trees. Mr. Jensen also reported a water retention pond is proposed to capture rain water and would be located on the western portion of the site. Continuing, Mr. Jensen said in the opinion of the development team there is more than sufficient parking to meet the needs of both the church and the proposed assisted living building. Mr. Jensen referred to the Traffic Impact Study done for the project noting that the study concluded that the existing roadway is more than sufficient to handle the additional traffic that would be generated from this project.

With regard to energy Mr. Jensen reported the building would be energy efficient using efficient lighting, sufficient insulation and possibly geothermal heating and cooling.

Continuing his presentation Mr. Jensen informed the Commission the church has held three neighborhood meetings.

Concluding his presentation Mr. Jensen explained the layout of the facility and invited Commission Members to view their other facilities; the closest the Colony at Eden Prairie.

Mr. Ted Yock, 6224 Braeburn Circle explained that church members after much discussion solicited RFP's and received 13 proposals. The team selected The Waters, adding they were very impressed with their facility in Eden Prairie.

Discussion

Commissioner Grabiell questioned the restrictiveness of the requested zoning reclassification especially in light of the fact that the Gramercy isn't doing very well, pointing out there are other projects the City has approved that haven't been constructed and all of those projects are "senior related". Mr. Jensen responded there is a waiting list for this project, pointing out this project is rental, it isn't a co-op or a "for sale" product. Continuing, Mr. Jensen said a market analysis was done and it indicated a demand for this type of development. Concluding, Mr. Jensen stated the services provided for in this building are different and although the population it serves is senior it's a different beast.

Commissioner Staunton asked Mr. Jensen how he feels about the affordable housing recommendation. Mr. Jensen responded he would like to try to achieve 20% affordable units by working closely with the City. Mr. Jensen explained that the Waters already works closely with Hennepin County on housing subsidy funds and noted that the cost of living in the proposed facility is actually lower than the cost of living in a nursing home. Mr. Jensen added an elderly waiver program is also available to residents that meet certain guidelines.

Commissioner Risser noted the reference to the possibility of geothermal heating and cooling and asked Mr. Jensen how far along they are in the process of finding out if that is an option. Mr. Jensen responded their findings are about two weeks out. Commissioner Risser questioned if solar energy was considered. Mr. Jensen responded they haven't looked into that but are hopeful geothermal is an option.

Commissioner Staunton questioned how lighting was addressed. Mr. Jensen responded that all exterior lighting would be directed down. With regard to the building itself, Mr. Jensen said that after 9:30 pm the majority of units are dark, except for the public areas. He also added that soft lighting would be incorporated in the cupola, reiterating that all external lights (parking lot, etc) would be directed down.

Commissioner Schroeder said he reviewed the landscaping plans and pointed out a number of Oak trees would be lost and the replacement strategy is mostly focused on evergreen trees, not Oaks. Continuing, Commissioner Schroeder suggested that the church also consider talking with MNDOT about implementing a joint plan on tree replacement in and near the right-of-way. Mr. Jensen responded he would be happy to check with MNDOT regarding the sites boundary with MNDOT, adding it was his suggestion to plant evergreen trees. Mr. Jensen explained that he thought evergreen trees would better screen the highway from both visual and noise pollution. Commissioner Schroeder said he also noted on the plans that the path from the bridge doesn't connect to the front door, it abruptly stops. Commissioner Schroeder said in his opinion the bridge is iconic and "users" of the bridge should be directed somewhere. Chair Fischer said he agrees with Commissioner Schroeder's comment on the bridge, he said in his opinion there appears to be a disconnect in this area. Mr. Jensen responded that he would look into that.

Commissioner Grabiell said he appreciates that attention was made to the lighting, adding he lives up the hill from Christ Presbyterian Church and lighting can be an issue.

Chair Fischer opened the public hearing.

Public Comment

Robert Scroggins, 6256 Sandpiper Court, addressed the Commission and stated he lives in the multi-family development directly west and adjacent to the subject property, adding he has worked with and has the highest respect for Mr. Jensen. Continuing, Mr. Scroggins said he believes the City's Park & Recreation Department is considering reconfiguring Country Side Park, and if that's the case; Colonial should get together with the City to discuss and work together on any changes. Mr. Scroggins reported that where he lives lighting from the church hasn't been a problem. Concluding, Mr. Scroggins stated the City should stay firm on their recommendation that the project provides affordable housing if approved.

Gordon Johnson 5837 Jeff Place told the Commission he has a number of points he would like to share with them, adding they are not pro or con.

1. vacancies already exist in a number of assisted living facilities;
2. the building as proposed is "out of sync" with the character of the neighborhood (too tall);
3. the proposed assisted living facility is a for-profit venture. It may be better if it were non-profit;
4. the proposed location for the assisted living facility is close to a City park where children play etc;
5. if approved the church is "giving up" the south parking lot; should a Proof of Parking Agreement be required especially when the church has contiguous events there is overflow.

Concluding, Mr. Johnson said he would like the Planning Commission to table this issue. Mr. Johnson said there still are a number of issues that need to be addressed; adding sewer capacity and the aquifer are also issues that should be addressed to ensure they have the capacity to handle the proposed development. Mr. Johnson also questioned the size of the building and asked the applicant to consider a smaller facility. The facility as proposed is just too large.

. Diane Greig, 6412 Red Fox, addressed the Commission and told them she has a problem with traffic, adding Tracy Avenue is very busy and can be hazardous. Ms. Greig pointed out this neighborhood has Crosstown and the High School on one side and the grade school on the other side. Ms. Greig explained from experience she knows that assisted living facility/nursing home units are empty. Concluding, Ms. Greig said there is a trend of aging in place; however, there has to be a way to give younger families the opportunity to live in Edina too.

Dorothy Krezner, 5928 Jeff Place, addressed the Commission and informed them she is very concerned with light spillage and traffic.

Josephine Braun, 5833 Jeff Place, acknowledged that Colonial Church has been a good neighbor and expressed the following concerns:

1. construction impact on the water level, noting this area has a high water table.
2. removal of trees
3. traffic

William Rodgers, 6100 Arbor Lane, told the Commission traffic is really a concern on Tracy Avenue. He pointed out that today the majority of kids drive their own cars to school and adding school buses to the mix creates congestion. Concluding, Mr. Rodgers questioned if a sound wall is planned if the assisted living facility is constructed.

Chair Fischer asked if anyone else would care to speak to the issue; being none; Commissioner Brown moved to close the public hearing. Commissioner Scherer seconded the motion. All voted aye; motion carried.

Commission Discussion and Questions

Chair Fischer noted that it appears from comments by the neighbors that the majority of their concern is traffic. Commissioner Schroeder noted that the applicant provided a traffic analysis and it appears to him based on that analysis that conflict from this project, if any, is minimal during peak times.

Commissioner Forrest asked Mr. Jensen if the proposed facility has shift changes. Mr. Jensen responded that this facility doesn't have shift changes, adding its "manned" 24 hours a day. Mr. Jensen also asked the Commission to note that the facility is located near a transit line which would enable employees the option of using mass transit.

Commissioner Brown asked Mr. Jensen the "parking demand" patterns for employees and visitors, adding he has a concern with parking. Mr. Jensen responded that there are between 40-45 employees during the peak time 9 am-6 pm. The majority of visitors come between 6 pm and 8:30 pm M-F plus weekend days. He said there aren't a lot of morning visitors. Commissioner Brown asked Mr. Jensen if the employee parking would be under the building. Mr. Jensen responded in the affirmative.

Chair Fischer noted Mr. Johnson suggested the possibility of implementing a Proof of Parking Agreement to ensure adequate parking and asked Mr. Jensen if he knows of a good place to "designate" that parking. Mr. Jensen responded that there are areas in the lower level parking garage earmarked for storage and from

experience he has found that residents that don't have vehicles allow their children to use their stalls to store boats and other miscellaneous items. Concluding, Mr. Jensen said if the storage items were eliminated it would free-up roughly 30-35 spaces (if the need arises). Mr. Jensen stated that maintaining adequate parking in partnership with Colonial Church is very important, and any parking issues would be worked out.

Commissioner Staunton pointed out that parking for the project as proposed satisfies all ordinance requirements questioning if the City can recommend a Proof of Parking Agreement when parking for the proposed facility meets/or exceeds the ordinance. Commissioner Brown commented that it may be possible the ordinance requirements don't meet the demand. He said from experience with Christ Presbyterian that when contiguous events occur parking can spill into a neighborhood.

Chair Fischer noted another item that was mentioned as a concern was the water table and the aquifer. Chair Fischer asked Mr. Jensen if he would look into these issues. Mr. Jensen responded he would, adding the project requires a permit from the Watershed District and those concerns would be raised. Mr. Jensen added they will also know more when they receive the results from drilling for geothermal fuels.

Commissioner Forrest questioned the size of the building and the reasoning behind the number of units. Mr. Jensen explained that to operate a successful facility and meet the needs of the residents certain staffing/resident ratios need to be met.

A discussion ensued regarding the date of the traffic study since it appears that the data was collected when school was out of session. It was recommended that a new traffic study be conducted to ensure that all "information" regarding traffic is implemented into the report. During the discussion it was brought up that there is the option of tabling the hearing until the traffic study is updated and/or refer the proposal back to the Transportation Commission for their review with the new data. Commissioners concluded that although the data submitted wasn't done when school was in session the traffic generated from this particular development probably won't have a large impact on what is happening on Tracy Avenue and the Crosstown. It was also suggested that the neighborhood contact the City and express to the Traffic Safety Coordinator their concerns with traffic on Tracy and the Crosstown entrance/exit.

Commissioner Grabiell said if he understands the process correctly that this hearing is the first step of a two step process. Continuing, Commissioner Grabiell asked if the request for a Guide Plan change is also two steps. Planner Teague responded that the Guide Plan change is a one step process requiring a 4/5 vote at the Council level. Planner Teague said Commissioner Grabiell is also correct that two steps are required for the rezoning, subdivision and development plan;

adding this evening the Commission is in the preliminary stages of those approvals (if approved). Chair Fischer suggested that the motions be separated; first, the Comprehensive Guide Plan amendment and second; preliminary rezoning, subdivision and final development plan. Commissioners agreed that separating the requests makes sense.

Commissioner Staunton said his understanding was if the Commission and Council don't approve a Guide Plan change the project can't advance. Planner Teague responded that is correct. Continuing, Commissioner Staunton questioned the inconsistency in the Comprehensive Plan. Planner Teague said the inconsistency isn't in the plan; it's with the land use map. Planner Teague explained that the land use map is based on existing land use(s).

Commissioner Brown said that while he believes the proposed location for the assisted living facility within the Colonial Church campus is good he is worried about the scope of the proposal and its impact on the neighborhood, adding he is struggling with this request.

Commission Action

Commissioner Brown moved to recommend approval of the Comprehensive Guide Plan Amendment from Public/Semi-Public to High Density Residential. Commissioner Scherer seconded the motion. All voted aye; motion carried.

Commissioner Scherer moved to recommend Preliminary Rezoning from R-1, single-Dwelling Unit District to PRD-5, Planned Residential District; Preliminary Development Plan and Preliminary Plat approval based on staff findings and subject to staff conditions; including;

- **The traffic study submitted by the applicant needs to be recalculated to reflect traffic when school is open.**
- **The assisted living facility is to contain 20% or 30 affordable housing units; and**
- **Implement Traffic Demand Management Plan (TMD) strategies 7 B.**

Commissioner Grabiell seconded the motion.

Commissioner Grabiell said in his opinion this sounds like a good project; however, he does have concerns about its viability because of the present economy; however that isn't the purview of the Commission. Commissioner Grabiell added he also has a concern with the City requiring affordable housing, when it isn't required by ordinance; but all-in-all, in his opinion it's an interesting and a good sound project.

Commissioner Brown stated he shares Commissioner Grabiels concern over the viability of the project. Commissioner Brown reiterated he worries about the scope of the project, adding he questions how this project will coexist with the surrounding diverse land uses.

Commissioner Staunton stated in his opinion this is a good project that satisfies many of the goals established in the Comprehensive Plan. Continuing, Commissioner Staunton said rezoning the property to PRD-5 makes sense because it's the only district that would allow this type of facility. Commissioner Staunton pointed out that building height is established by setbacks and this project meets setback and building height requirements. No variances are requested. Commissioner Staunton said in his opinion the proposed citing of the building is perfect, it fits, reiterating it's in the ideal location.

Ayes; Carpenter, Scherer, Staunton, Schroeder, Grabiell, Brown, Forrest, Fischer. Nays; Risser. Motion carried 8-1.

2010.0002

Lot Division
Jeffrey Parell and Tony Giannakakis
5500 and 5504 Halifax Lane, Edina

Planner Presentation

Planner Teague informed the Commission Mr. Jeffry Parell and Tony Giannakakis are proposing to shift the existing lot line that divides 5500 and 5504 Halifax Lane for the purpose of adding a 23 foot strip of land to 5504 Halifax Lane. The existing home at 5500 Halifax would be torn down and a new home built. The home at 5504 Halifax Lane was recently built, and would remain. The new home at 5500 Halifax would be required to meet all applicable zoning ordinance standards as part of the building permit process. The proposal does not create a new lot.

Continuing, Planner Teague said staff believes the request is reasonable. The resulting lots after the lot line shift meet all minimum zoning ordinance standards. Currently 5504 Halifax is a substandard lot, with a lot width of 65 feet. The median lot width in the neighborhood is 76.7 feet. The lot line between these two lots would simply be shifted to allow additional area and width at 5504 Halifax. Again, there would not be a new lot created. The lot line shift would bring the lot at 5504 Halifax into compliance with the median lot width in the neighborhood.

Planner Teague concluded that staff recommends that the City Council approve the Lot Division of 5504 and 5500 Halifax Lane subject to the following findings:

1. The lot width of 5504 Halifax Lane currently does not meet the median lot width requirement. The resulting lot division would result in both lots meeting the median lot width requirement.
2. The resulting lots comply with all minimum lot size standards of Section 850.11 of the zoning ordinance.

Approval is also subject to the following Conditions:

1. Prior to the City of Edina filing the approving resolution shifting the lot line, the existing home at 5500 Halifax Lane must be removed from the site.
2. All building activity on either lot must comply with all minimum zoning ordinance standards.
3. Any new curb cuts would be subject to review and approval of the engineering department.

Discussion

Commissioner Forrest commented that based on the data submitted the lot width for 5504 Halifax Lane at 65.3 feet isn't such an anomaly, pointing out there are other lots on the block in the 60 foot lot width range. Planner Teague responded that he agrees with that comment; however, the proposed lot line rearrangement allows the lot at 5504 Halifax Lane to become conforming.

Commissioner Grabiell commented that as he reviewed the request he wondered why the property owners are doing this. Continuing, Commissioner Grabiell said he observed that the house on the narrow lot is new, adding he remembers a discussion on the retaining wall when that home was constructed. Planner Teague responded he doesn't know the answer to that question; however, if the lots were left as is, and the rambler on the larger lot is removed the new house constructed on that larger lot could be oversized for the neighborhood and still meet Ordinance requirements. Reducing the size of that lot would create a smaller building pad.

Commissioner Carpenter said it appears to him that this request is similar to other lot line rearrangement requests that the Commission has heard and approved in the past, adding he has no problem with it.

Public Comment:

A resident residing four houses away from the subject lots questioned if the City was required to notify neighbors of the lot line rearrangement. It was determined that City notification is not required for a lot line rearrangement between agreeable property owners. Notification occurs when a property and/or properties are subdivided to create additional lot(s); that is not the case in this situation. The resident further questioned if neighbors would be notified when a

new house is built at 5500 Halifax Lane. Planner Teague explained if the new house meets Ordinance requirements neighbors would not be notified.

Commission Action

Commissioner Staunton moved to recommend lot division approval based on staff findings and subject to staff conditions. Commissioner Scherer seconded the motion.

Commissioner Forrest observed if this rearrangement is approved it could open up the potential for the newer house (5504 Halifax Lane) to add on, pointing out the City has had issues with massing.

Commissioner Grabiell questioned if the lot division could even proceed pointing out the rearrangement creates a new lot line that cuts through an existing house. Planner Teague responded and clarified that a condition of approval is that prior to the City of Edina filing the approved resolution shifting the lot line, the existing home at 5500 Halifax Lane must be removed from the site.

Ayes; Carpenter, Scherer, Staunton, Schroeder, Brown, Fischer. Nays; Risser, Grabiell, Forrest. Motion carried.

2009.0004.10a

**Zoning Ordinance Amendment – Front Street
Setback**

Planner Presentation

Planner Teague informed the Commission that as a result of the loss of a court case with JMS regarding front street setback staff is recommending a zoning ordinance amendment to tighten up the existing language for properties in the R-1 zoning district. Amending the Code is due in large part to the judge finding that language in the City regulations regarding front street setbacks to be “ambiguous, vague, conflicting and unworkable.”

Continuing, Planner Teague explained the three current options an applicant has in determining front yard setback.

Discussion

The question was raised if the “three options” work in Edina, acknowledging the three options make sense because of Edina’s different character districts; but does it work. Planner Teague told the Commission the three options worked well

until recently. Planner Teague pointed out that this ordinance has been in place for many years, it's how the City developed.

Commissioner Grabiell said he understands and agrees there is the need to amend the ordinance; however, he continues to find the draft ambiguous and the language confusing.

The discussion continued with Commissioners acknowledging the importance of amending this portion of the ordinance in a timely fashion; noting the revised ordinance presented this evening is a good first step. Commissioners raised the following:

- Are three options really needed? Noting "one size doesn't fit all" in Edina.
- If the City continues it's three option choice does the applicant get to chose which option, and if so, is that advantageous to the City, pointing out most would pick the one that suited them best. How is this tightened up?
- Language; definition of established front yard setback, exceptions? In B. "on a corner lot situation" should the ordinance consider the house across the street, its view could be compromised; and "most forward portion of" in A.1.C. should that be further clarified to "nearest corner" or something similar. Situations are so different.
- Consider illustrations.

Commissioner Staunton asked Planner Teague if there is another area within the ordinance that addresses front yard setback. Planner Teague responded in the affirmative, adding the City has a minimum front yard setback requirement of 30 feet; however, that is used for undeveloped parcel(s), pointing out that Edina has a minimal number of vacant parcels where the minimum 30 feet works. Subd. 7. Special Requirements for Single Dwelling Unit lots "trump: the 30 foot minimum in all established neighborhoods.

Commissioners acknowledged that "all in all" the current ordinance and the amended version would not have prevented the situation that occurred on Brookview Avenue, adding even If the surveyor had calculated the established front yard setback correctly the house would be seven feet back from its current location and still in front of the house next door. Planner Teague agreed the situation on Brookview is a rarity.

Continuing, Commissioners acknowledged that the ordinance in its current form must be addressed and suggested that this item be held over to allow staff time to collect data from other cities on how they address front yard setback, adding if any Commissioner has an idea on how the current language could be further clarified they should e-mail Planner Teague their thoughts. Commissioners also expressed understanding that an amendment is needed in a timely fashion, leaving the door open for further study on this issue down the road.

Action

Commissioner Staunton moved to table this issue until the next meeting allowing staff time to research how other cities have established their front yard setback criteria. Commissioner Scherer seconded the motion. All voted aye; motion carried.

Planner Teague told the Commission he would bring back a revised version of the amended ordinance, adding his goal would be to further clarify the options.

III. COMMUNITY COMMENT:

A resident of Halifax Lane thanked the Commission for all their work, adding he was impressed with their questions and comments on the issues presented.

IV. OTHER BUSINESS:

Public Works Site Small Area Guide Process

Presentation

Chair Fischer delivered a power point presentation on the Small Area Guide Process.

Comments/Questions

Commissioner Scherer asked if this "Guide" is generic or for a specific project. Chair Fischer responded this guide process is for a specific project; the public works site, adding if this works well it could be used as a model for other small area plans.

Chair Fischer said what needs to happen in the near future is the recruiting of residents to "sit" in as members of the Community Advisory Team (CAT) and Design Team. Chair Fischer explained the intent is to conclude all meetings, etc with a joint Council/Commission meeting sometime in May 2010.

Commissioner Scherer said she remembers the past redevelopment process concerning the public works site, pointing out that process was very lengthy. Continuing, she asked Chair Fischer how the City plans on notifying the community this process is happening. Chair Fischer said the City will use all means available to "get the word out".

Commissioner Brown said from past experience (Greater Southdale Area Guide Plan) the message needs to be very clear.

Commissioner Forrest stated she is very impressed with the plan.

V. INTERGOVERNMENTAL BUSINESS:

Chair Fischer acknowledged receipt of back of packet materials.

Commissioner Risser said the Energy and Environment Commission along with five other cities is participating in the "Green Steps Pilot Program". This program will target energy conservation goals.

VI. NEXT MEETING DATE:

February 24, 2010.

VII. ADJOURNMENT:

Commissioner Carpenter moved for adjournment at 10:50 pm. All voted aye. Meeting adjourned.

Submitted by:

Jackie Hoogenakker