

**MINUTES  
CITY OF EDINA, MINNESOTA  
PLANNING COMMISSION  
CITY COUNCIL CHAMBERS  
NOVEMBER 28, 2012  
7:00 P.M.**

**I. CALL TO ORDER**

Chair Grabiell called the meeting to order at 7:00 PM

**II. ROLL CALL**

Answering the roll call were Commissioners Forrest, Schroeder, Kilberg, Potts, Platteter, Cherkassky, Staunton, Fischer Grabiell.

Absent from the roll: Scherer and Carpenter

**III. APPROVAL OF MEETING AGENDA**

The agenda was filed as submitted.

**IV. APPROVAL OF CONSENT AGENDA**

Commissioner Forrest moved approval of the November 14, 2012, meeting minutes. Commissioner Fischer seconded the motion. All voted aye; motion carried.

**V. COMMUNITY COMMENT**

None

**VI. PUBLIC HEARINGS**

**A. Variance. City of Edina/Braemar Arena. 7501 Ikola Way, Edina, MN**

**Planner Presentation**

Planner Teague reported that Braemar Arena is requesting a variance to allow two wall signs not to exceed 43 square feet to advertise new commercial businesses locating within the addition to the arena. Edina Sign Ordinance No. 460.05, Subd. 1, allows one building identification wall sign per building not to exceed 24 square feet in area. The sign code has no provision for commercial signs on park property because those uses are typically not associated with park property. The City Council has allowed the subject businesses to locate in the arena as an accessory use in the arena, and as a public/private initiative to assist in the costs of building the addition.

The Edina High School Hockey program has identified a need to build new locker rooms at Braemar Arena for over 30 years; however there have not been funds available to pay for the project. Last fall, a group of volunteers came forward with a plan to build the locker rooms without passing the costs onto the school district or the City. The plan included the creation of a public/private partnership where the leases generated through private businesses would cover the cost of the bonds. The City Council approved this plan which includes leases to Velocity Training Center, a dry land (off-ice) training space user; and General Sports a retail sporting goods store.

Teague explained if these businesses were located in the City's Planned Commercial District, the Sign Ordinance would allow a wall sign as large as 15% of the wall area; thus each business would be able to have a sign as large as 148 square feet in area. However, neither of the requested signs exceeds 43 square feet in area

Although Edina's Sign Ordinance does not allow for the requested signs, the businesses leasing space in the arena feel strongly that the exterior signage is imperative to their success in this new location. Furthermore, it is also important to the City that the businesses are successful since it is the money received from the leases that will be paying for the new construction.

Teague concluded that staff recommends approval of the requested variance based on the following findings:

The proposal meets the required standards for a variance, because:

The City Council has allowed commercial uses to lease space in the new Hive facility as a permitted accessory use.

The practical difficulty is the large size and shape of the Braemar structure.

Without exterior signage, it would be confusing for users of the facility as to where to go to within the structure to find the area they intend to use.

Traditional signage in a commercial district would allow up to 148 square feet in area on this building. The applicant is proposing signage to a maximum of 43 square feet for each sign. The proposed small size of the sign is reasonable and in proportion with the building facade.

Approval of the variance is also subject to the following conditions:

- 1) Each individual sign is limited to 43 square feet in size; and is subject to review and approval of a Sign Permit by the Planning Division.

### **Appearing for the Applicant**

Susie Miller, City of Edina

## **Discussion**

Commissioner Fischer commented that to be clear the only reason the signage for the Hornets' Nest requires a variance is because it's on City property. Planner Teague responded that's correct.

Chair Grabiell asked if anyone would like to speak to this issue; being none, Commissioner Platteter moved to close the public hearing. Commissioner Fischer seconded the motion. All voted aye; motion carried.

## **Motion**

**Commissioner Fischer moved variance approval based on staff findings and subject to the staff conditions. Commissioner Potts seconded the motion. All voted aye; motion carried.**

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### **B. Final Rezoning, Ordinance Amendment and Final Development Plan. Mount Properties. 4005 West 65<sup>th</sup> Street and 6500 France Avenue, Edina, MN.**

#### **Planner Presentation**

Planner Teague reported the Commission Mount Properties is proposing to tear down the existing office buildings at 4005 West 65<sup>th</sup> Street and 6500 France Avenue to build a new five-story, 62-foot tall, 102,478 square foot medical office/retail building with an attached 4-5 level parking ramp. The first floor of the new building would contain 7,000 square feet of medical/retail space that may include a coffee shop. The next remaining 95,478 square feet would contain medical office use. The applicant is requesting final approval of the project; Rezoning from POD-1, Planned Office District to PUD, Planned Unit Development; a Zoning Ordinance Amendment that establishes the PUD, Zoning District; and Final Development Plan.

Teague reminded the Commission that the City Council approved the Comprehensive Guide Plan Amendment, Preliminary Rezoning to PUD, Planned Unit Development, and Preliminary Development plan for this project on November 5, 2012. The footprint of the building and the parking arrangement has not changed from the preliminary approval. The site plan is essentially the same as the approved preliminary plans with the exception that the chiller has been relocated to the top of the parking ramp, north of the stairwell.

The applicant is proposing a development that would be consistent with the Comprehensive Plan. The Plan guides this site as Regional Medical; therefore, the proposed medical office with complementary retail uses would be consistent with the Comprehensive Plan. The proposal would create a more efficient and creative use of the property. The building would be pulled up close to the street, with sidewalks in front, and

separated from the street by green space to promote a more walkable environment. Parking would be located in back in the ramp. Landscaping and patios are also proposed in front, with store fronts opening toward France Avenue. The applicant is also proposing to utilize sustainable design principals. Green building practices are suggested, and green roofs are proposed.

Planner Teague concluded that staff recommends Final Rezoning and Final Development Plan approval based on the following findings:

1. The proposed land uses are consistent with the Comprehensive Plan.
2. The plans are consistent with the approved Preliminary Development Plan.
3. The site layout would be an improvement over a site layout required by standard zoning; the building is brought up to the street, provides podium height, and front door entries toward the street, includes sidewalks to encourage a more pedestrian friendly environment along the street.
4. The design of the building is of a high quality brick, glass and concrete. A five story building would be generally consistent with the four story buildings on West 65<sup>th</sup> Street.
5. Traffic would be improved in the area by eliminating the right-in and out access on France Avenue.
6. Based on the traffic study done by WSB, the existing roadways can support the proposed development.
7. The proposed project would meet the following goals and policies of the Comprehensive Plan:
  - a. Building Placement and Design. Where appropriate, building facades should form a consistent street wall that helps to define the street and enhance the pedestrian environment. On existing auto-oriented development sites, encourage placement of liner buildings close to the street to encourage pedestrian movement.
    - Locate prominent buildings to visually define corners and screen parking lots.
    - Locate building entries and storefronts to face the primary street, in addition to any entries oriented towards parking areas.
    - Encourage storefront design of mixed-use buildings at ground floor level, with windows and doors along at least 50% of the front façade.
    - Encourage or require placement of surface parking to the rear or side of buildings, rather than between buildings and the street.
  - b. Movement Patterns.
    - Provide sidewalks along primary streets and connections to adjacent neighborhoods along secondary streets or walkways.
    - Limit driveway access from primary streets while encouraging access from secondary streets.

- Provide pedestrian amenities, such as wide sidewalks, street trees, pedestrian-scale lighting, and street furnishings (benches, trash receptacles, etc.)
- c. Encourage infill/redevelopment opportunities that optimize use of city infrastructure and that complement area, neighborhood, and/or corridor context and character.

Approval is also 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 November 6, 2012.
  - Grading plan date stamped November 6, 2012.
  - Landscaping plan date stamped November 6, 2012
  - Building elevations date stamped November 6, 2012.
  - Building materials board as presented to the Planning Commission and City Council.
- 2) Prior the issuance of a building permit, the following must be submitted:
  - a. A final landscape plan, subject to staff approval. Additionally, a performance bond, letter-of-credit, or cash deposit must be submitted for one and one-half times the cost amount for completing the required landscaping, screening, or erosion control measures.
  - b. A construction management plan.
- 3) The property owner is responsible for replacing any required landscaping that dies.
- 4) 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.
- 5) Compliance with the conditions required by the city engineer in his memo dated January November 20, 2012.
- 6) Site lighting shall conform to all minimum zoning ordinance standards including an intensity no greater than three foot-candles measured at property lines abutting property zoned residential and ten foot-candles measured at property lines abutting streets or property zoned non-residential.
- 7) Trash and recycling areas must be screened per Section 850.10 Subd. 2 of the City's Zoning Ordinance.
- 8) Sustainable design. The design and construction of the entire project must be done with the Sustainable Initiatives as outlined in the applicant's narrative within the Planning Commission staff report.
- 9) All buildings must be built with sprinkler systems, subject to review and approval of the fire marshal.

- 10) A Developers Agreement. As part of a Developers Agreement the property owner would be required to participate in appropriate cost sharing for signal improvements at 65th Street and France Avenue.
- 11) The applicant must enter into a Proof-of-Parking Agreement to add more parking if needed.
- 12) A minimum of 27 bicycle parking spaces shall be required. A bike parking plan must be submitted as part of the building permit application which demonstrates the City Code required bicycle parking requirements.
- 13) Adoption and compliance with the PUD Ordinance for the site.

### **Appearing for the Applicant**

Stephen Michals, Mount Development Co., Ed Farr, Edward Farr Architects

### **Discussion**

Commissioner Potts asked Planner Teague if signage was considered for the accessory uses in the building. Planner Teague responded that the signage would be reviewed by the sign inspector as per the RMD-zoning district.

Commissioner Forrest said she was concerned at the times the light studies were taken, adding she would like the applicant to continue to be sensitive to neighboring residents with regard to light and noise.

### **Applicant Presentation**

Mr. Michals introduced Luigi Bernardi, property owner and Ed Farr, Architect.

Ed Farr delivered a power point presentation highlighting recent revisions to the plan:

- The chiller that was proposed to be ground mounted along the south property line will now be located on the upper level of the parking ramp.
- Decorative wall mounted lighting would be added along France Avenue and West 65<sup>th</sup> Street. The light pole proposed for the top of the parking ramp will be low, to eliminate spill of the property; light are on timers.
- Farr presented the exterior materials board.

Michals thanked the Commission for their time and concluded he looks forward to building in Edina.

Chair Grabiell asked if anyone in the audience would like to speak to this issue; being none, Commissioner Platteter moved to close the public hearing. Commissioner Fischer seconded the motion. All voted aye; motion carried.

## **Discussion**

Commissioner Fischer commented on the lengthy development process for this project noting he really appreciated the applicant's willingness to work with the City to achieve the right outcome. Fischer concluded he is excited about the project, adding it will be a good addition on that corner and for the community.

Commissioner Schroeder noted in the Staff Report under conditions of approval #8 Sustainable Design - that this condition would be difficult to measure. Schroeder said this may not be the right venue to frame this; however if the City is serious about sustainability there needs to be real metrics to respond too. Planner Teague agreed adding this should be discussed further.

Forrest agreed with Schroeder and pointed out the applicant also indicated they would work with each tenant to establish a "Carbon Impact Analysis", noting that this would also be difficult to measure.

Chair Grabel asked Planner Teague what type of oversight the City could have over this. Teague responded that he envisions oversight as part of the building permit process. Teague said the City could require the developer to provide a check list that the City could sign off on as each item is met.

Mr. Farr told the Commission the development team stands by the sustainability measures outlined in their Project Summary. Concluding, Farr said they would also work on developing a checklist based on those measures.

## **Motion**

**Commissioner Forrest moved to recommend final rezoning approval from POD-1, Planned Office District to PUD, Planned Unit Development, a Zoning Ordinance Amendment that establishes the PUD and Final Development including the Memo from the City Engineer. Commissioner Fischer seconded the motion to include a sustainability checklist per Item #8 in the City Staff Report. All voted aye; motion carried.**

## **VII. CORRESPONDENCE AND PETITIONS**

Chair Grabel acknowledged back of packet materials.

## **VIII. CHAIR AND COMMISSION COMMENTS**

No comments.

## **IX. STAFF COMMENTS**

Planner Teague noted that at their next City Council meeting the Council will hear the development proposals for the Southdale Apartments, Erik's Ranch and the subdivision on Concord Avenue Lindquist. Teague also informed the Commission there are no new development proposals for the Commission meeting scheduled for December 26th. Chair Grabiell added in light of that fact the regularly scheduled Planning Commission meeting for December 26, 2012 is cancelled; if Commissioners agree. All Commissioners agreed.

## **X. ADJOURNMENT**

**Commissioner Scherer moved adjournment at 7:35 PM. Commissioner Platteter seconded the motion. All voted aye; motion to adjourn carried.**

*Jackie Hoogenakker*

Respectfully submitted