

**MINUTES OF THE
REGULAR MEETING OF THE PLANNING COMMISSION
CITY OF EDINA, MINNESOTA
CITY COUNCIL CHAMBERS
DECEMBER 11, 2013**

I. CALL TO ORDER

II. ROLL CALL

Answering Roll Call: Scherer, Schroeder, Potts Fischer, Kilberg, Halva, Carr, Platteter, Forrest Grabel, Staunton

III. APPROVAL OF MEETING AGENDA

Commissioner Grabel moved approval of the December 11, 2013 meeting agenda. Commissioner Scherer seconded the motion. All voted aye; motion carried.

IV. APPROVAL OF CONSENT AGENDA

Commissioner Carr moved approval of the November 11, 2013, meeting minutes. Commissioner Potts seconded the motion. All voted aye; motion carried.

V. COMMUNITY COMMENT

During "Community Comment," the Planning Commission will invite residents to share new issues or concerns that haven't been considered in the past 30 days by the Commission or which aren't slated for future consideration. Individuals must limit their comments to three minutes. The Chair may limit the number of speakers on the same issue in the interest of time and topic. Generally speaking, items that are elsewhere on this morning's agenda may not be addressed during Community Comment. Individuals should not expect the Chair or Commission Members to respond to their comments today. Instead, the Commission might refer the matter to staff for consideration at a future meeting.

No public comment.

VI. REPORTS AND RECOMMENDATIONS

A. Cindy Larson – Residential Redevelopment Coordinator

Coordinator Larson addressed the Commission and delivered a power point presentation highlighting her observations to date of the City's redevelopment process. Larson said topics covered will include common concerns heard from residents and the remedies presently used to address these concerns.

Larson highlighted the following:

Common Concerns:

- Parking issues
- Erosion concerns (tracking into street)
- Encroachment disputes (property lines, fences, trees, etc.)
- Drainage/impervious surface coverage questions
- Noise levels
- Safety concerns (site protection, foundation fencing)
- Construction hour questions and complaints
- Tree removal
- Miscellaneous general questions (new, remodel, addition)

Current Remedies:

- Work with builders on code compliance
- Parking restrictions
- Working in conjunction w/multiple city departments to respond to questions
- Coordination of meetings between builders and residents
- Stop Work Orders, escrow funds, citations

Effective Policies

- Site Signage
- Neighborhood Meeting – provides opportunity for residents to ask questions
- Pre-demolition site inspection
- Cash Escrow
- Parking Issues – communication with builders and police

Next Steps

- Enforcement protocol (Code section 1040 vs. 411; specific violation remedy guidelines)
- Dust control policy (demolitions)
- Website presence for redevelopment
- Critical topic handouts (with demo and building permits)
- Work sessions to discuss code clarifications.

Larson stood for questions.

Chair Staunton thanked Coordinator Larson for her presentation and commented that in his opinion enforcement is very important to ensure 411 functions as it should.

Commissioner Platteter asked Larson how she thinks the residents are “doing with the new ordinance”. Larson responded that rolling out the new ordinance and her position has definitely had a learning curve. She further reported that many residents and builders are very proactive; however, as things proceed everyone becomes aware of differing issues. She also pointed out new policies are continually being “rolled out” to help clarify the process. Platteter also suggested that the City create a map that identifies the areas/neighborhoods where “things are going on”. This map could also be web based so

residents can see what's been happening. Planner Teague responded the map is an option to consider; possibly by year.

Commissioner Potts asked Larson if she knows the percent of time she spends on specific issues. Larson responded that varies each day, adding she also tries to spend much of her time being proactive. Potts questioned if Larson found neighbors reporting property damage as the result of new construction. Larson responded to date there have been some issues; such as sprinkler heads being broken, etc.; however, they were addressed and resolved. Larson further explained that she acts as a mediator between owner, neighbors and City when something goes awry; reiterating for the most part issues have been addressed and settled. Continuing, Potts asked Larson if she ever "sat down" with builder(s) and neighbor(s). Larson responded that "in the field" she has met with the builder, owner, and neighbors.

Commissioner Forrest commented that in her opinion there are remodels that are so extreme they should be considered teardown/rebuilds and asked Larson if she ever intercedes for neighbors if problems arise with remodels. Larson responded in the affirmative. She clarified that although she enforces 411 she regularly receives inquiries from residents regarding additions. Larson said she tries to be "one stop" and gather the proper information for the neighbor and report back to that neighbor what she finds.

Commissioner Forrest noted the discrepancy in "noise" requirements between City ordinances and asked Larson why there is a discrepancy. Larson explained that teardown/rebuild construction hours are more limited in 411 (new home construction). The differing ordinances allow residents to work on home "projects" (roofs, decks, additions) over the weekends and until 9 pm during summer months.

Commissioner Forrest asked Larson her overall feeling of success. Larson responded that City staff continues to study and improve 411. Larson said one very large issue is parking. Larson explained when she receives parking complaints she visits the site and if she finds a violation she needs to work with the Edina Police Department. Larson said enforcement may proceed more smoothly in this area if she could write parking citations.

Planner Teague reported that the City Attorney is working on drafting an amendment to the ordinance that would grant the residential redevelopment coordinator the authority to write parking citations.

Chair Staunton asked if there have been reported drainage issues in context with newer larger buildings being built on small lots; and if so, how is it handled. Larson responded that all new house plans are reviewed by both the Planning Division and Engineering Department. Each has to sign off on the plans before construction can commence. Continuing, Staunton asked how the City is "sure" the house is built according to plans. Larson replied that the City requires a final-as built and the final as-built is what is actually built. She acknowledged there can be changes during the construction process; however, the final as-built is what the City signs off on.

Commissioner Potts stated in his opinion there needs to be a policy in place that better addresses drainage and volume control. Commissioner Carr agreed, she stated drainage issues need careful attention.

Planner Teague told the Commission he believes a work session is scheduled with the Council on 411 sometime in February. Commissioners can attend.

Commissioner Platteter said he wants to ensure that any drainage issues are resolved sooner than later. Commissioners agreed.

Commissioner Forrest commented that she continues to be troubled by the differing construction hours “noise” found in the Code, adding she understands the reasoning is to allow residents to work on their homes; however, believes it needs to be applied evenly.

Chair Staunton asked Larson if there is a “close-out” process. Coordinator Larson responded with regard to 411 that every project will be closed out by her. Staunton said he believes the residential redevelopment coordinator in a very important position, adding it appears to be the glue between departments.

Commissioner Carr thanked Coordinator Larson for her appearance suggesting there be a way to communicate to residents “what’s going on” with regard to redevelopment. Larson agreed, adding she is working with the Communication Division on further establishing a web site addressing this topic.

Chair Staunton thanked Coordinator Larson for her work and presentation.

B. Sketch Plan - Pentagon Office Park

Planner Presentation

Planner Teague reminded the Commission at their last meeting they considered a sketch plan for Pentagon Office Park, adding the development team is again before the Commission asking for their comments on a continuation of the sketch plan.

Teague explained that the total site area is roughly 43 acres in size and its redevelopment would likely occur over the next 2-15 years. After sketch plan review by the Planning Commission and City Council, the applicant has indicated they will follow up with a formal application to rezone the site to PUD, Planned Unit Development. This request would allow greater flexibility in land uses, amenities, setbacks, pedestrian, connection, and depending on the future use of Fred Richards Golf Course, the potential for greater connection and integration in public space.

Commissioner Potts noted that a traffic study was completed in 2008 and asked Planner Teague if the City would require an updated traffic study. Teague responded in the affirmative. Teague explained that the next step would be to reexamine traffic volume and patterns in the area. He added the City would also have a traffic consultant on board to address traffic.

Applicant Presentation

Scott Takenoff addressed the Commission and explained they will proceed with the redevelopment of the site through the PUD rezoning process. Takenoff said that in his opinion the PUD allows for more flexibility. Takenoff said their goal is to make formal application to the City by the end of March 2014. Takenoff introduced Tom Whitlock and Bob Close to address the plans.

Continuing, Takenoff explained that the City continues to discuss options for the Fred Richards Golf Course, adding that in a sense this development proposal needs to be considered independently from

Fred Richards. Takenoff stated the development team would prefer integration between the public and private space but much depends on what the City envisions for the Fred Richards Golf Course.

Continuing, Takenoff said an architectural group has not been retained. He added the formal application would contain architectural details. Concluding, Takenoff stated in his opinion great architecture comes from great land use.

Questions/Comments

Commissioner Fischer noted when they last met a final decision hadn't been made on the rezoning and thanked the applicant for making their decision by choosing the flexibility found in the PUD rezoning process. Mr. Takenoff responded the development team wants to make sure they are following the right protocols to achieve the best redevelopment for the site.

Mr. Close delivered a power point presentation and highlighted for the Commission the two different options. Close said the options are more defined from the previous multiple options and the development team plans on presenting a formal preliminary rezoning application sometime before March 2014.

Close highlighted the options as follows:

Option 1

- Minimalist concept
- Improve West 77th Street – project envisions a pedestrian friendly West 77th Street
- Create as much green space as possible – it is proven that green space slows traffic
- No connection through Walsh Title
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Option 2:

- Larger vision concept
- Repurpose Fred Richards with parkway on the south side
- Additional overpass
- Keep in mind the option of linking with the new trails

Commissioner Potts noted that in Option 1 there is no underpass. Mr. Takenoff responded in the affirmative.

Commissioner Grabiell recalled when this proposal was before the Commission in 2008 there was much discussion on building height; especially the height on the “tower” site. Grabiell asked if there had been any discussion on building height on this specific site. Mr. Takenoff responded they have had numerous discussions on building height for the “tower” site and believe at this time height would be between eight and nine stories; and meet ordinance; however a final decision on height hasn't been reached.

Commissioner Carr asked if building height meets Code. Planner Teague responded that at this time the proposed height meets both the ordinance and comprehensive plan requirements. Carr questioned if they wanted to exceed building height would that require an amendment. Teague responded that a Comprehensive Plan amendment would be required to go taller and variances folded into the PUD rezoning.

Mr. Takenoff noted the difference between Option 1 and Option 2, reiterating much depends on what occurs with the Fred Richards Golf Course. He added what's missing is the City's time frame on what they envision for "Fred Richards" in the future. Takenoff acknowledged the importance of integrating the Fred Richards Golf Course; however, it's the one thing the development team doesn't have control over.

Chair Staunton said if he "reads" option 2 correctly that it may not work if the golf course remains as is. Takenoff responded that could be true; however alternatives are needed and there will time to integrate the infrastructure after that decision is made. Takenoff said what they are focusing on now is the land use.

Commissioner Forrest said in her opinion it's good to maintain flexibility; however, the options presented are so sparse it's difficult to comment. Continuing, Forrest said she would love to see more detail on how West 77th Street addresses the street. She said in her opinion it may be an area to develop neighborhood nodes. Continuing, Forrest asked the development team where their parking numbers came from. Mr. Takenoff responded that the parking numbers are from the current zoning ordinance. Takenoff said that as time goes on and more is found out about Fred Richards they can be more creative with building, parking and greenspace.

Commissioner Potts said he wouldn't be adverse to increasing commercial density, adding the traffic study supports it. Continuing, Potts stated he wants the development team to focus on implementing green streets and creating a more residential setting even though it may end up being a commercial/office streetscape. Potts acknowledged parts of the Pentagon Office Park are blighted and innovative tweaks need to be made; however, he continues to feel the development is "off" without a housing element.

Mr. Takenoff said that while housing is not a viable option at present time there is the potential it could appear in the future. Takenoff noted that is the reason for the PUD rezoning request; it provides more flexibility in development. Continuing, Takenoff said with regard to the "tower site" it is very critical what the infrastructure will support, adding they want to ensure the hotel built will be high quality. Concluding, Takenoff reminded the Commission this redevelopment will have many phases stretching out over many years, adding their intent is to redevelop the south west corner first with an office/hotel use. Concluding, Takenoff acknowledged that much of this is conceptual, adding as time goes on it is very possible "things" will change.

Mr. Close commented that at his time so much is not known, adding much depends on the market.

Commissioner Schroeder said the sketch plan approach is correct; however, he said he has difficulty with the limited architectural details that were provided. Schroeder said in his opinion how the site, buildings, building height, street, street scape relate to each other identifies the character of the area; framing a great development. Schroeder said he would like to see further study done on building height and uses on the first floor. Schroeder pointed out that building height is more than stories. Continuing, he added careful attention also needs to be paid to the street and the lack of sidewalks. Schroeder said that he believes the project is on the right track and he's supportive of the general concept; however, needs the next level of detail. Concluding, Schroeder said it is extremely important to see how the development is framed, the way the buildings relate to each other and to the streetscape and green ways. Mr. Takenoff responded that the development team wants to "get to the next step"; however, as mentioned by Mr. Close much is market driven. Schroeder questioned if that means the Commission and Council can expect to go through another sketch plan review process. Planner Teague interjected

that he believes the next step would be preliminary PUD rezoning approval and if approved the development team would bring forward a sketch plan for final PUD rezoning.

Commissioner Forrest stated she wants to ensure that this area stays vibrant, adding the development concept should also be carefully crafted to “look into the future”. She further added in her opinion that housing would be an important element in keeping this area vibrant.

Chair Staunton said he understands that this process is two steps; however, the Commission needs to know the “uses” and if the “uses” are appropriate and “doable”. Staunton said he wants to ensure continued flexibility; however, it is very important that for the “second step” that the “uses” and scale of the project are very clear. Planner Teague stated he agrees with that statement.

The discussion continued on TIF funding acknowledging that the impact of what the City decides for the Fred Richards Golf Course is an important factor. Commissioners expressed the desire for this area to be interconnected keeping in mind the regional trail system to the west and Richfield.

The discussion focused on building height especially on the “tower site” with Commissioners expressing the opinion that before they act they need to have the specifics on building height for the hotel. The height needs to be framed to ensure compliance with both the ordinance and comprehensive plan. It was further acknowledged that the PUD rezoning creates a venue to address any discrepancies.

Commissioner Potts stated that in his opinion as previously mentioned by Commissioner Schroeder that it is very important to know how land use and the infrastructure relate to each other and what lies between.

Commissioner Carr agreed that more detail is required and asked the development team if they plan on providing more detail. Mr. Takenoff responded in the affirmative. He explained that it is their intent to formally apply for preliminary PUD approval sometime in early 2014, adding at that time more detail would be depicted on the plans; however the detail could be site specific.

The discussion ensued on the preliminary nature of the plans with Commissioners acknowledging that in order to make an educated decision they need more detailed plans. Commissioners stated they understand that “sketch plan” is “sketch plan”; however, want more detail for the next go round.

Mr. Takenoff commented that their company policy is “don’t over promise or under deliver”, adding he believes their formal request for preliminary PUD rezoning is consistent with a multiphase redevelopment project. Takenoff said their goal is to redevelop this very important site to its fullest potential. He did acknowledge that the redevelopment would be in phases over a number of years; however, he believes time is a friend. Concluding, Takenoff reiterated the importance of this site and their intent to redevelop it to its fullest potential.

Chair Staunton thanked the development team for their presentation, adding he looks forward to preliminary application.

VII. CORRESPONDENCE AND PETITIONS

Chair Staunton acknowledged back of packet materials.

VIII. CHAIR AND COMMISSION MEMBER COMMENTS

Commissioners Platteter and Carr said they are continuing their work with “Living Streets” and drafting a tree preservation ordinance. Carr stated they hope to discuss the tree ordinance sometime in January.

Commissioner Fischer reported that the Grandview Committee continues to meet twice monthly.

IX. STAFF COMMENTS

Planner Teague reported that at this time the City Code is undergoing recodification, adding that should be completed before the first of the year.

Teague apprised the Commission that the City Council denied the request to subdivide the property at 5612 Tracy Avenue.

Teague commented that the Commission may need to “check in” with the Comprehensive Plan to ensure it continues to be “up to date”, pointing out the changes with the SWLR.

Teague also noted that staff has been discussing incorporating affordable housing into the PUD process.

X. ADJOURNMENT

Commissioner Fischer moved adjournment. Commissioner Carr seconded the motion. All voted aye; motion to adjourn at 9:30 pm carried.

Jackie Hoogenakker
Respectfully submitted