

# REPORT / RECOMMENDATION



**To:** MAYOR AND COUNCIL

**Agenda Item #:** VIII.A

**From:** Cary Teague, Community Development Director

**Action**

**Discussion**

**Information**

**Date:** April 16, 2013

**Subject:** PUBLIC HEARING – Comprehensive Plan Amendment, Preliminary Rezoning to PUD, Preliminary Development Plan and Preliminary Plat, Hunt Associates, 5109-5125 West 49<sup>th</sup> Street, Resolution No. 2013-33 and Resolution 2013-37

**Action Requested:**

Adopt the attached resolutions.

**Information / Background:**

New Information. The applicant has submitted revised plans (See attached dated April 9, 2013) based on comments from the City Council at the April 2<sup>nd</sup> meeting. The revisions include:

- Removal of one unit (16 total). The northeast setback increased from 15 to 42 feet .
- Increase the setback on 49<sup>th</sup> to 36 feet.
- Sidewalk has been added on 49<sup>th</sup>.
- Additional greenspace provided.
- One way drive implemented with an additional drive and curb cut. (Garbage truck access.)
- Three additional guest parking spaces have been added.

Previous Information. Hunt Associates is requesting redevelopment of three lots, 5109-5125 West 49<sup>th</sup> Street. The applicant is proposing to tear down the existing two apartments and single family home on the site (10 units total) and build a new 17-unit attached housing development. (See narrative and plans on pages A13–A45 of the Planning Commission Staff report.) The subject properties total 1.43 acres in size; therefore, the proposed density of the project would be 12 units per acre.

The existing property is zoned PRD-2, Planned Residential District-2, which allows residential building containing six or fewer dwelling units. The existing apartments contain four and five units each. The applicant is seeking a rezoning of the property to PUD, Planned Unit Development. The site is guided LDAR, Low Density Attached Residential (4-8 units per acre), therefore, a Comprehensive Plan Amendment to MDR, Medium Density Residential would be required to allow a density of 5-12 units per acre. The applicant narrative indicates why they believe that a PUD rezoning is justified for this proposed development.

In order to obtain to approvals for the above mentioned project, the applicant must go through a two-step process.

The first step in the process is to obtain the following approvals:

1. A Comprehensive Plan Amendment from LDAR, Low Density Attached Residential (4-8 units per acre) to MDR, Medium Density Residential (5-12 units per acre). This requires a four-fifths vote of the City Council for approval,
2. Preliminary Rezoning from PRD-2, to PUD, Planned Unit Development,
3. Preliminary Development Plan; and
4. Preliminary Plat

If the Comprehensive Plan Amendment, Preliminary Rezoning and Preliminary Development Plan are approved by the City Council, the following is required for the second step:

1. Final Development Plan and Final Rezoning to PUD.
2. Zoning Ordinance Amendment establishing the PUD.

The Planning Commission and City Council considered a sketch similar to the proposed project last fall. (See the sketch plans on pages A11–A12; and the minutes from those meetings on pages A46–A52 of the Planning Commission Staff Report.) The applicant has attempted to address the issues raised by the Planning Commission and City Council. Some of the changes include:

1. Reducing the density from High Density Residential to Medium Density Residential by eliminating one unit.
2. Reducing the height from four stories to three.

There was a lot of discussion by both the Planning Commission and City Council regarding the number of units on this site. While the general belief was that medium density may be appropriate for the site, however, many suggested a greater reduction in the number of units; and providing more open area or green space on the site. The applicant however, has indicated that they may not be able to make the project work financially by further reducing the number of units.

Planning Commission Recommendation: On March 13, 2013, the Planning Commission recommended approval of the proposed project on a vote of 5-3. (See attached minutes.)

Based on the comments and recommendations from the Planning Commission, the applicant has revised the proposed plans, and are attached, date stamped March 25, 2013.

**ATTACHMENTS:**

- Revised Plans date stamped April 9, 2013
- Resolution No. 2013-33 & 2012-37
- Draft minutes from the March 13, 2013 Edina Planning Commission meeting
- Planning Commission Staff Report, March 13, 2013
- Revised Plans and Narrative Submitted to the Planning Commission March 13, 2013.
- Resident letters



**RESOLUTION NO. 2013-33**  
**RESOLUTION APPROVING A GUIDE PLAN AMENDMENT**  
**FROM LDAR, LOW DENSITY ATTACHED RESIDENTIAL (4-8 UNITS PER ACRE) TO**  
**MDR, MEDIUM DENSITY RESIDENTIAL (5-12 UNITS PER ACRE) AT 5109-5125 WEST**  
**49<sup>TH</sup> STREET FOR HUNT ASSOCIATES**

BE IT RESOLVED by the City Council of the City of Edina, Minnesota, as follows:

Section 1. BACKGROUND.

- 1.01 Hunt Associates is requesting redevelopment of three lots, 5109-5125 West 49th Street. The applicant is proposing to tear down the existing two apartments and single family home on the site (10 units total) and build a new 16-unit attached housing development. The subject properties total 1.43 acres in size; therefore, the proposed density of the project would be 11 units per acre.
- 1.02 The property is legally described as follows:
- See attached Legal Descriptions
- 1.03 The site is guided LDAR, Low Density Attached Residential (4-8 units per acre), therefore, a Comprehensive Plan Amendment to MDR, Medium Density Residential would be required to allow a density of 5-12 units per acre.
- 1.04 On March 13, 2013, the Planning Commission recommended approval of the Guide Plan Amendment. Vote: 5 Ayes and 3 Nays.

Section 2. FINDINGS

- 2.01 Approval is subject to the following findings:
1. The subject property is a transition area, and serves as a buffer from single-family homes to the north to Vernon Avenue and the GrandView Commercial area to the south.
  2. The proposal would be an improvement over the current two existing apartment buildings and single-family home (10 units) on the site. Five townhomes would face 49<sup>th</sup> Street, three townhomes would face west, and eight townhomes would face Vernon Avenue; the garages and drive aisle are internal to the site.
  3. The proposed two/three story buildings are generally consistent with existing height in the area.

- 4. The existing roadways would support the project. Wenck and Associates conducted a traffic impact study, and concluded that the proposed development could be supported by the existing roads.
- 5. The proposed project would meet the following goals and policies of the Comprehensive Plan:
  - a. Increase pedestrian and bicycling opportunities and connections between neighborhoods, and with other communities, to improve transportation infrastructure and reduce dependence on the car.
  - b. Locate and orient buildings to fit with their existing and/or planned context by framing and complementing adjacent streets, parks and open spaces.
  - c. Locate and orient vehicle parking, vehicular access, service areas and utilities to minimize their visual impact on the property and on adjacent/surrounding properties, without compromising the safety and attractiveness of adjacent streets, parks, and open spaces.
  - d. Regulate scale, massing, and height to provide complementary transitions to adjacent sites and nearby neighborhoods and areas.
  - e. Encourage infill/redevelopment opportunities that optimize use of city infrastructure and that complement area, neighborhood, and/or corridor context and character.

Section 3. APPROVAL

NOW THEREFORE, it is hereby resolved that the City Council of the City of Edina, approves the guide plan amendment for the following described property:

See attached Exhibit A

Approval is subject to the following condition:

- 1. Final Rezoning to PUD and Final Development Plan approval for the project.

ATTEST: \_\_\_\_\_  
Debra A. Mangen, City Clerk

\_\_\_\_\_  
James B. Hovland, Mayor

STATE OF MINNESOTA            )  
COUNTY OF HENNEPIN        )SS  
CITY OF EDINA                    )

CERTIFICATE OF CITY CLERK

I, the undersigned duly appointed and acting City Clerk for the City of Edina do hereby certify that the attached and foregoing Resolution was duly adopted by the Edina City Council at its Regular Meeting of April 16, 2013, and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this \_\_\_\_ day of \_\_\_\_\_, 2013.

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City Clerk

# Exhibit A

## DESCRIPTION OF PROPERTY SURVEYED

(Per Commitment for Title Insurance issued by Stewart Title Guaranty Company, File No. 152183, dated October 31, 2011, and File No. 153093, dated October 5, 2012)

Lot 3, 4, 5 and 6, and all that part of Lots 9, 10, 11 and 12 lying North of State Highway No. 5, Block 4, "Tingdale Bros.' Brookside", Except that part of Lot 12 which lies Southeasterly of the following described line: Beginning at a point on the East line of said Lot 12 distant 35 feet South of the Northeast corner thereof; thence run Southwesterly to the Southwest corner of the above described Lot 12 and there terminating

Together with:

A 25.00 foot wide strip of land lying east of the Minneapolis, Northfield and Southern Railroad between West 49th Street and Vernon Avenue in Section 28, Township 117 North, Range 21 West, Hennepin County, Minnesota.

Being Torrens Property, Certificate Number: 577550

And:

Lots 7 and 8, Block 4, Tingdale Bros.' Brookside, Except that part of said Lot 8 described as follows:

Beginning at a point on the East boundary of said Lot 8 distant 28 feet North of the Southeast corner thereof; thence South along said East boundary 28 feet; thence West along the South boundary of said Lot, 50 feet; thence North along the West boundary of said Lot, 12 feet; thence Northeasterly to the point of beginning, including any part or portion of any street or alley adjacent to said premises vacated or to be vacated, Hennepin County, Minnesota

Abstract



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**RESOLUTION NO. 2013-37**  
**APPROVING PRELIMINARY REZONING FROM PRD-2, PLANNED RESIDENTIAL DISTRICT TO PUD, PLANNED UNIT DEVELOPMENT, PRELIMINARY DEVELOPMENT PLAN & PRELIMINARY PLAT AT 5109-5125 WEST 49<sup>TH</sup> STREET FOR HUNT ASSOCIATES**

BE IT RESOLVED by the City Council of the City of Edina, Minnesota, as follows:

**Section 1. BACKGROUND.**

- 1.01 Hunt Associates is requesting redevelopment of three lots, 5109-5125 West 49th Street. The applicant is proposing to tear down the existing two apartments and single family home on the site (10 units total) and build a new 16-unit attached housing development. The subject properties total 1.43 acres in size; therefore, the proposed density of the project would be 11 units per acre.
- 1.02 The property is legally described as follows:
- See attached Legal Descriptions
- 1.03 On March 13, 2013, the Planning Commission recommended approval of the request. Vote: 5-3.

**Section 2. FINDINGS**

2.01 Approval is based on the following findings:

Approval is subject to the following findings:

1. The proposal would create a more efficient and creative use of the property. Currently the site does not engage Vernon Avenue. Today it is clearly the back of the site, and contains mature trees. The proposed site plan turns and faces Vernon Avenue with a row of two-story townhomes.
2. Parking areas and garages are internal to the site, and not visible from 49th street or Vernon Avenue.
3. The project would enhance pedestrian connections. The plan provides for a public sidewalk through the site from 49th to Vernon, that would connect, not only this development, but the entire area to the north to the GrandView District.
4. Landscaping would be enhanced. Extensive Landscaping is proposed around the perimeter of the site and adjacent to the proposed townhomes. The number of over story trees is over double the number required by City Code. The mature trees along Vernon Avenue would be preserved.

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**CITY OF EDINA**

- 5. The proposed plat meets all Zoning and Subdivision Ordinance requirements.

**Section 3. APPROVAL**

NOW THEREFORE, it is hereby resolved by the City Council of the City of Edina, approves the Preliminary Rezoning to PUD, Planned Unit Development, Preliminary Development Plan, and Preliminary Plat subject to the following conditions:

- 1. The Final Development Plans must be generally consistent with the Preliminary Development Plans date stamped April 9, 2013.
- 2. The Final Landscape Plan must meet all minimum landscaping requirements per Section 850.04 of the Zoning Ordinance.
- 3. Compliance with all of the conditions outlined in the city engineer's memo dated March 7, 2013.
- 4. Final Rezoning is subject to a Zoning Ordinance Amendment creating the PUD, Planned Unit Development for this site.
- 5. Approval of the Final Rezoning of the subject property to Planned Unit Development, PUD.
- 6. The Final Plat must be considered within one-year after approval of the Preliminary Plat, or the Preliminary Plat shall be deemed null and void.
- 7. A shared parking and access agreement must be established across the Plat.
- 8. The Park Dedication fee of \$35,000 shall be paid prior to release of the mylars approving the Final Plat.
- 9. There shall be no rooftop decks.

Adopted by the city council of the City of Edina, Minnesota, on April 16, 2013.

ATTEST: \_\_\_\_\_  
Debra A. Mangen, City Clerk

\_\_\_\_\_  
James B. Hovland, Mayor

STATE OF MINNESOTA            )  
COUNTY OF HENNEPIN        )SS  
CITY OF EDINA                 )

CERTIFICATE OF CITY CLERK

I, the undersigned duly appointed and acting City Clerk for the City of Edina do hereby certify that the attached and foregoing Resolution was duly adopted by the Edina City Council at its Regular Meeting of April 16, 2013, and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this \_\_\_\_ day of \_\_\_\_\_, 2013.

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City Clerk

# Exhibit A

## DESCRIPTION OF PROPERTY SURVEYED

(Per Commitment for Title Insurance issued by Stewart Title Guaranty Company, File No. 152183, dated October 31, 2011, and File No. 153093, dated October 5, 2012)

Lot 3, 4, 5 and 6, and all that part of Lots 9, 10, 11 and 12 lying North of State Highway No. 5, Block 4, "Tingdale Bros.' Brookside", Except that part of Lot 12 which lies Southeasterly of the following described line: Beginning at a point on the East line of said Lot 12 distant 35 feet South of the Northeast corner thereof; thence run Southwesterly to the Southwest corner of the above described Lot 12 and there terminating

Together with:

A 25.00 foot wide strip of land lying east of the Minneapolis, Northfield and Southern Railroad between West 49th Street and Vernon Avenue in Section 28, Township 117 North, Range 21 West, Hennepin County, Minnesota.

Being Torrens Property, Certificate Number: 577550

And:

Lots 7 and 8, Block 4, Tingdale Bros.' Brookside, Except that part of said Lot 8 described as follows:

Beginning at a point on the East boundary of said Lot 8 distant 28 feet North of the Southeast corner thereof; thence South along said East boundary 28 feet; thence West along the South boundary of said Lot, 50 feet; thence North along the West boundary of said Lot, 12 feet; thence Northeasterly to the point of beginning, including any part or portion of any street or alley adjacent to said premises vacated or to be vacated, Hennepin County, Minnesota

Abstract

Commissioner Carr asked to amend the motion to include the addition of architectural features along the north building wall. Commissioners Grabiell and Forrest accepted that amendment. Ayes; Scherer, Carr, Forrest, Grabiell. Nays; Schroeder, Potts, Carpenter and Staunton. Motion failed.

**B. Preliminary Rezoning to PUD, Preliminary Development Plan and Preliminary Plat. Edina Fifty-Five LLC. 5125 49<sup>th</sup> Street West and 5118-5109 49<sup>th</sup> Street West**

**Planner Presentation**

Planner Teague informed the Commission Hunt Associates is requesting redevelopment of three lots, 5109-5125 West 49<sup>th</sup> Street. The applicant is proposing to tear down the existing two apartments and single family home on the site (10 units' total) and build a new 17-unit attached housing development. The subject properties total 1.43 acres in size; therefore, the proposed density of the project would be 12 units per acre.

The existing property is zoned PRD-2, Planned Residential District-2, which allows residential building containing six or fewer dwelling units. The existing apartments contain four and five units each. The applicant is seeking a rezoning of the property to PUD, Planned Unit Development. The site is guided LDAR, Low Density Attached Residential (4-8 units per acre), therefore, a Comprehensive Plan Amendment to MDR, Medium Density Residential would be required to allow a density of 5-12 units per acre. The applicant narrative indicates why they believe that a PUD rezoning is justified for this proposed development.

Planner Teague stated that staff recommends that the City Council approve the request for a Comprehensive Plan Amendment from LDAR, Low Density Attached Residential to MDR, Medium Density Residential (5-12 units per acre) for the subject property based on the following findings:

1. The subject property is a transition area, and serves as a buffer from single-family homes to the north to Vernon Avenue and the GrandView Commercial area to the south.
2. The proposal would be an improvement over the current two existing apartment buildings and single-family home (10 units) on the site. Seven townhomes would face 49<sup>th</sup> Street and eight townhomes would face Vernon Avenue with the garages and drive aisle internal to the site.
3. The proposed two/three story buildings are generally consistent with existing height in the area.
4. The existing roadways would support the project. Wenck and Associates conducted a traffic impact study, and concluded that the proposed development could be supported by the existing roads.

PC.  
3/13

5. The proposed project would meet the following goals and policies of the Comprehensive Plan:
  - a. Increase pedestrian and bicycling opportunities and connections between neighborhoods, and with other communities, to improve transportation infrastructure and reduce dependence on the car.
  - b. Locate and orient buildings to fit with their existing and/or planned context by framing and complementing adjacent streets, parks and open spaces.
  - c. Locate and orient vehicle parking, vehicular access, service areas and utilities to minimize their visual impact on the property and on adjacent/surrounding properties, without compromising the safety and attractiveness of adjacent streets, parks, and open spaces.
  - d. Regulate scale, massing, and height to provide complementary transitions to adjacent sites and nearby neighborhoods and areas.
  - e. Encourage infill/redevelopment opportunities that optimize use of city infrastructure and that complement area, neighborhood, and/or corridor context and character.

Teague added that staff recommends that the City Council approve the Preliminary Rezoning from PRD-2, Planned Residential District to PUD, Planned Unit Development District and Preliminary Development Plan to build 17 new townhomes on the subject 1.43 acre parcel based on the following findings:

1. The proposal would create a more efficient and creative use of the property. Currently the site does not engage Vernon Avenue. Today it is clearly the back of the site, and contains mature trees. The proposed site plan turns and faces Vernon Avenue with a row of two-story townhomes.
2. Parking areas and garages are internal to the site, and not visible from 49<sup>th</sup> street or Vernon Avenue.
3. The project would enhance pedestrian connections. The plan provides for a public sidewalk through the site from 49<sup>th</sup> to Vernon, that would connect, not only this development, but the entire area to the north to the GrandView District.
4. Landscaping would be enhanced. Extensive Landscaping is proposed around the perimeter of the site and adjacent to the proposed townhomes. The number of over story trees is over double the number required by City Code. The mature trees along Vernon Avenue would be preserved.

Approval is also subject to the following Conditions:

1. The Final Development Plans must be generally consistent with the Preliminary Development Plans dated February 13, 2013 and the final Landscape Plan must meet all minimum landscaping requirements per Section 850.04 of the Zoning Ordinance.
2. Compliance with all of the conditions outlined in the city engineer's memo dated March 7, 2013.
3. Final Rezoning is subject to a Zoning Ordinance Amendment creating the PUD, Planned Unit Development for this site.

Concluding, Teague recommended that the City Council approve the Preliminary Plat to create a new 17-lot townhome plat for the subject property based on the following findings:

1. The proposed plat meets all Zoning and Subdivision Ordinance requirements.

And subject to the following conditions:

1. Approval of the Final Rezoning of the subject property to Planned Unit Development, PUD.
2. The Final Plat must be considered within one-year after approval of the Preliminary Plat, or the Preliminary Plat shall be deemed null and void.
3. A shared parking and access agreement must be established across the Plat.
4. The Park Dedication fee of \$35,000 shall be paid prior to release of the mylars approving the Final Plat.

#### **Appearing for the Applicant**

David Motzenbecker, Chris Palkowitsch, BKV Group, Ed Terhaar, Wenck

#### **Applicant Presentation**

Mr. Motzenbecker delivered a power point presentation. He further informed the Commission BKV adjusted the development to better fit the site and meet the goals of the Comprehensive Plan. Motzenbecker further explained the topography of the property played a large role in building design. Motzenbecker explained that they are putting in a plinth to minimize stairs, adding the plinth moves along the property line and raises it about two feet. Continuing, along the front the development team wanted to open the units up to the street. Small patios will be added on the top of the plinth. With graphics Motzenbecker explained the internal circulation, parking and guest parking. He pointed out there will be bike and pedestrian access and the site would be open creating a more welcoming space; this also creates a space that is public; not private.

Motzenbecker introduced Chris Palkowitsch, project architect.

Chris Palkowitsch told Commissioners that each unit would have their own entry and the exterior building materials have been chosen and will be cast stone, fiber-cement panels, and stained wood to warm the exterior palate. Palkowitsch said the project would promote energy efficiency and the conservation of natural resources. Continuing, Palkowitsch said general sustainability principles for the buildings and the site will be applied as follows:

- It is possible the existing buildings will be relocated.
- If the buildings are demolished many of the materials will be recycled.
- Use of low VOC paints.
- Energy Star appliance.
- High –efficiency HVAC will be standard.
- Stone and cement board with recycled contents will be incorporated
- Skylights will add additional daylight to each unit reducing energy consumption; and
- Storm water infiltration and a variety of native plants.

Motzenbecker also asked the Commission to note that along Vernon Avenue the units are two-story with a gathering space in the front. Motzenbecker also pointed out that the front doors are “sunken”, providing each unit with privacy from Vernon Avenue and passersby.

### **Discussion**

Commissioner Forrest questioned accessibility and asked if any units are without stairs. Forrest also stated parking concerns her; especially guest parking or lack thereof. Mr. P responded any unit could be retro-fitted for an elevator.

Commissioner Carr commented that she observed that some garages have windows and questioned this reasoning. Mr. Palkowitsch explained that the windows proposed for the garages are frosted; letting light in and providing a degree of privacy.

Commissioner Forrest asked how building height is measured. Planner Teague explained that building height is measured from the existing grade.

Chair Staunton stated the roofs of the proposed townhouses are flat and pointed out Edina’s Comprehensive Plan suggests pitched roofs; not flat as proposed. Mr. Motzenbecker explained that the reason they went with the flat roof was to ensure that the buildings “tie” into the neighborhood. He noted that the majority of the roofs (single family homes) in the neighborhood are hip; adding the proposed flat roof “ties” in better while minimizing the impact of building height.

Ed Terhaar addressed the Commission and gave a brief overview of traffic highlighting the following:

- Proposed development is expected to generate 1 net trip during the weekday peak period, 2 net trips during the weekday pm and 29 weekday daily trips.
- Intersections have adequate capacity; no improvements would be required.

- It should be noted that the entire neighborhood area has only one access point and if a train was stopped on the tracks for an extended period of time, additional steps would be needed to access this neighborhood; however, this exists with or without the proposed townhomes.

Terhaar told the Commission townhouses tend to generate fewer trips than single family homes. He also acknowledged that the intersection of Vernon and Interlachen Boulevard can pose problems. Commissioners agreed with that statement. A discussion ensued on the ramifications of this development on neighborhood traffic, acknowledging the unique one way in and out and railroad tracks.

Chair Staunton acknowledged that this proposal is located in a unique setting with a one way in and out, agreeing if you go up the hill and try to turn left onto Interlachen Boulevard one can "sit" there for some time before there is an opening to turn. Mr. Terhaar agreed, adding he believes that movement is at service level D which isn't good; however, is acceptable in an urban setting.

Commissioner Forrest questioned how often the figures used for the traffic analysis report are updated. Mr. Terhaar responded they are updated on a regular basis, adding it was recently updated and the most current information was used in this analysis.

Chair Staunton opened the public hearing.

The following spoke to the proposal:

Michelle Anderson, 5112 49<sup>th</sup> Street West  
Steve Russ, 5040 Hankerson Avenue  
Tony Wagner, 5120 West 49<sup>th</sup> Street  
Leslie Losey, 5105 West 49<sup>th</sup> Street  
Gail Helbereot, 5116 West 49<sup>th</sup> Street  
Mrs. Wagner, 5120 West 49<sup>th</sup> Street

Chair Staunton asked if anyone else would like to speak to this issue; being none Commissioner Potts moved to close the public hearing. Commissioner Carpenter seconded the motion. All voted aye; motion carried.

Chair Staunton questioned how storm water and snow removal would be handled. Mr. Motzenbecker said they have a civil engineer on board that between now and final will work out the storm water management issues, adding he believes at this time runoff storage will be underground. Continuing, Motzenbecker said with regard to snow removal the excess snow will be moved off site.

Chair Staunton said he observed on the schematics there are units with roof top decks and asked if that is an option. He pointed out neighbors privacy would be compromised. Mr. Motzenbecker said there is an interest in roof top decks, adding they would be an amenity on some of the units.

Commissioner Carr discussed density and setbacks and asked the developers if they ever considered removing the last townhouse unit on the east. She pointed out this unit directly abuts a residential home and if that unit were removed that area could be used for guest parking. Mr. Motzenbecker responded they hadn't considered that option.

Chair Staunton directed the discussion back to the Comprehensive Plan and the requested amendment to increase density and have a flat roof.

Commissioner Carpenter said he doesn't have a problem in increasing density in this location.

Commissioner Forrest said she struggles with an amendment to the Comprehensive Plan noting the Comprehensive Plan is the City's development guide.

Commissioner Schroeder commented that his struggle would be leaving the site low density, adding the step from low density to medium density may actually encourage redevelopment, and in this instance seems reasonable. Schroeder said this project could be considered one of the first steps in the GrandView Plan, noting the increase in density isn't at the upper end of what's permitted in medium density. Chair Staunton stated he agrees with Commissioner Schroeder. Continuing, Schroeder said in his opinion( from a site plan perspective) that he doesn't mind the intensity, and in fact, would slide the entire development over; closer to Vernon Avenue, narrow the driveway and squeeze the site together from all sides. Schroeder said if this is done the impact of the building height from 49<sup>th</sup> street would be minimized.

Commissioner Forrest said she wasn't adverse to the project; however has a concern. She said she doesn't want this site to appear claustrophobic and negatively impact the neighbors. The neighbors do have legitimate concerns.

Chair Staunton said he agrees the neighbors have legitimate issues; however change in this location makes sense. Continuing, Staunton said he really likes the look of the project from Vernon Avenue, adding he also believes the use of PUD in this instance is correct. Staunton said he also likes that the site provides a pathway to Vernon Avenue for not only residents of the townhouses but area residents as well. He also stated he thinks the bike curb is another plus. Continuing, Staunton said the trick of this project is to make the transition from residential to the commercial area off Vernon Avenue friendly. Concluding, Staunton said he does have a concern with the overall building height and the flat roof (especially from West 49<sup>th</sup> Street). Commissioner Forrest questioned who would maintain the Vernon Avenue access. Mr. Motzenbecker responded that the association for the townhomes would maintain the access.

## Cary Teague

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**From:** Christopher Palkowitsch <cpalkowitsch@bkvgroup.com>  
**Sent:** Friday, March 22, 2013 7:25 PM  
**To:** Cary Teague  
**Cc:** Dhunt@huntassociatesllc.com; JHunt@huntassociatesllc.com; David M. Motzenbecker  
**Subject:** Vernon Avenue Updates - 1 of 2  
**Attachments:** 2013-03-22 Vernon Avenue - Sections & 3d Views.pdf

Cary,

I have attached new section drawings, updated plans, and updated 3d views that reflect changes in reaction to the planning commission's findings. The new section drawings include information to clarify the relationship to the surrounding context and the building heights. We adopted most of the planning commission's findings, see the comments below.

### Changes to the Plans

1. Internal driveways have been reduced to 18' wide. (previously 24')
2. The NE Building (Y) has been moved 6' to the west & 6' to the south. This creates more space between this project and the neighboring houses. As a condition of approval the planning commission also stated that building Z needs to move 6' south closer to Vernon Ave & Building Y an additional 6' South. [See sheet A100 for building naming.] However, we feel the distance between the SE most unit of building Z and its relationship to Vernon Avenue does not give enough buffer between the unit and the street.
3. Roof top decks have been removed.

Best regards,  
Chris

Chris Palkowitsch, AIA | Project Architect/Associate | BKV Group | Ph: 612.373.9110  
222 North 2<sup>nd</sup> Street, Minneapolis, MN 55401 | Chicago, IL | Washington, DC  
Architecture, Interior Design, Landscape Architecture, Engineering | [www.bkvgroup.com](http://www.bkvgroup.com) EOE  
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PROJECT SUMMARY	FLOOR				TOTAL
	1st	2nd	3rd	4th	
BUILDING FOOTPRINT	11,021	11,021			22,042
FLOOR AREA					1,148
DWELLING UNITS	16				16 UNITS
PARKING (B-UNT)	5				5 STALLS
PARKING (GUEST)	19				19 SPACES
PERVIOUS/IMPERVIOUS	43,110 SF				11,361 SF PERVIOUS
LOT SIZE	63,674 SF				63,674 SF (1.46 AC)
UNIT DENSITY	16 UNITS/AC				16 UNITS/AC
FLOOR AREA RATIO	0.35				0.35

UNIT MATRIX	UNIT TYPES				TOTAL
	A	B	C	D	
DWELLING UNITS	4	3	3	6	16 UNITS
FINISHED SF	2,774	2,442	2,410	3,416	11,042 SF
GARAGE SF	28	28	28	28	112 SF

- KEY NOTES**
- 1) RECREATION DEVIATION WITH STAIRS
  - 2) EXISTING SHED: PREC. TO REMAIN
  - 3) BUILDING PREC. (SEE SHEET L101)
  - 4) EXISTING TREE: GREEN PLANTING (SEE SHEET L101)
  - 5) ORNAMENTAL TREES (SEE SHEET L101)
  - 6) SHrub SCREEN PLANTING (SEE SHEET L101)
  - 7) RETAINING WALL: B&B PLANTING
  - 8) UNIT BALUS: TYP.
  - 9) UNIT RAILS: TYP.
  - 10) MIXED PERENNIAL PLANTING, TYP. (SEE SHEET L101)
  - 11) MIXED FORN PLANTING, TYP. (SEE SHEET L101)
  - 12) MIXED SHrub WITH STAIRS, TYP.
  - 13) RECREATION RAMP
  - 14) STEEL DECKING, TYP.
  - 15) FOUNDATION PLANTING, TYP. (SEE SHEET L101)
  - 16) GUEST PARKING
  - 17) 6" H DOORWAY SCREEN FENCE WITH PLANTING TYP.
  - 18) PLANTED DRIVE: 4" DIA. MEDIAN B&B 4" DIA. DOORWAY CONCRETE CURB
  - 19) 6" H B&B CURB CONCRETE
  - 20) B&B DOORWAY PLANTING (SEE SHEET L101)
  - 21) W&G PLANTING, TYP.
  - 22) RAMP FORCES, TYP.

Architecture  
Interior Design  
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Engineering

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Inc.

222 North Second Street  
Minneapolis MN 55401  
Telephone: 612-339-3752  
Facsimile: 612-339-6212  
www.bkvgroup.com

**NOT FOR CONSTRUCTION**

Preliminary  
Development Plan  
Submittal

Vernon Avenue  
Townhomes

**CERTIFICATION**  
I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Landscape Architect under the laws of the State of Minnesota.

(PRINTED LAST NAME) \_\_\_\_\_ DATE \_\_\_\_\_  
(WOODS LICENSE NUMBER) \_\_\_\_\_  
License Number \_\_\_\_\_

REVISIONS	No.	DATE

DATE	04-09-13
DRAWN BY	JD
CHECKED BY	OPM
COMMISSION NO.	87427

SITE PLAN



**L100**



Vernon Avenue Townhouses  
04-08-13 Scale

Perspective View - Northeast

BKV  
GROUP

RECEIVED  
4-9-13



Vernon Avenue Townhouses

04-08-13

Scale

Perspective View - Northwest

BKV  
GROUP

RECEIVED  
4-9-13

# VERNON AVENUE TOWNHOMES



49TH AVENUE - LOOKING EAST

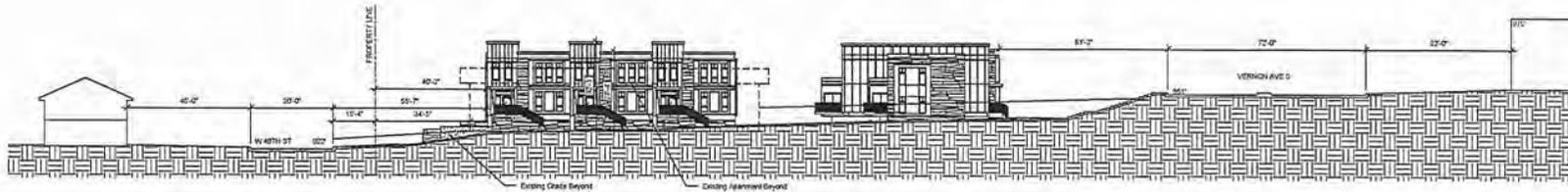
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# VERNON AVENUE TOWNHOMES

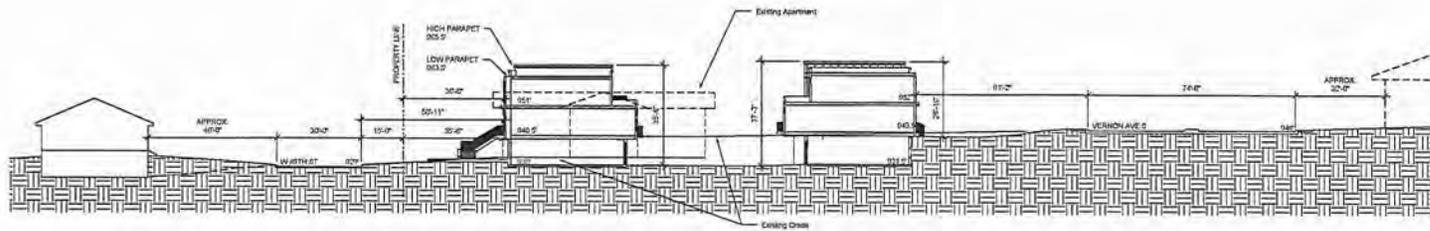


49TH AVENUE - LOOKING WEST

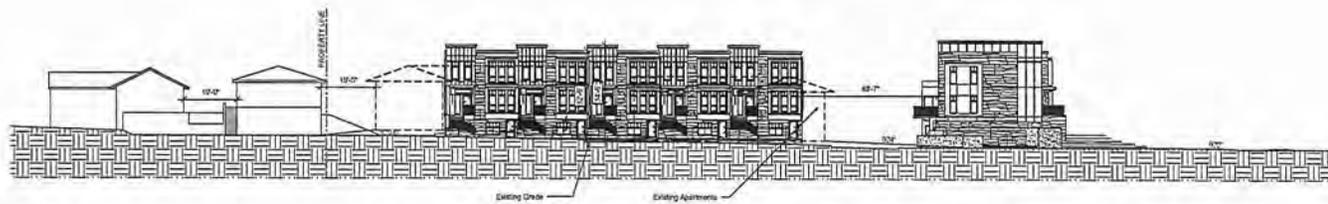
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4-9-13



1 SITE WEST ELEVATION  
ASB 1" = 20'-0"



2 SITE SECTION NORTH-SOUTH  
ASB 1" = 20'-0"



3 SITE SECTION EAST-WEST  
ASB 1" = 20'-0"

Vernon Avenue Townhouses  
04-08-13

Site Sections

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GROUP

RECEIVED  
4-9-13



## PLANNING COMMISSION STAFF REPORT

Originator <b>Cary Teague</b> Community Development Director	Meeting Date <b>March 13, 2013</b>	Agenda # <b>VI.B</b>
---	---------------------------------------	-------------------------

### INFORMATION/BACKGROUND

#### Project Description & Background

Hunt Associates is requesting redevelopment of three lots, 5109-5125 West 49<sup>th</sup> Street. (See property location on pages A1–A10.) The applicant is proposing to tear down the existing two apartments and single family home on the site (10 units total) and build a new 17-unit attached housing development. (See narrative and plans on pages A13–A45.) The subject properties total 1.43 acres in size; therefore, the proposed density of the project would be 12 units per acre.

The existing property is zoned PRD-2, Planned Residential District-2, which allows residential building containing six or fewer dwelling units. The existing apartments contain four and five units each. The applicant is seeking a rezoning of the property to PUD, Planned Unit Development. The site is guided LDAR, Low Density Attached Residential (4-8 units per acre), therefore, a Comprehensive Plan Amendment to MDR, Medium Density Residential would be required to allow a density of 5-12 units per acre. The applicant narrative indicates why they believe that a PUD rezoning is justified for this proposed development.

In order to obtain to approvals for the above mentioned project, the applicant must go through a two-step process.

The first step in the process is to obtain the following approvals:

1. A Comprehensive Plan Amendment from LDAR, Low Density Attached Residential (4-8 units per acre) to MDR, Medium Density Residential (5-12 units per acre). This requires a four-fifths vote of the City Council for approval.
2. Preliminary Rezoning from PRD-2, to PUD, Planned Unit Development; and
3. Preliminary Development Plan.

If the Comprehensive Plan Amendment, Preliminary Rezoning and Preliminary Development Plan are approved by the City Council, the following is required for the second step:

1. Final Development Plan and Final Rezoning to PUD.
2. Zoning Ordinance Amendment establishing the PUD.

The Planning Commission considered the following sketch plan proposals for this site:

- On March 28, 2012, the applicant presented a sketch plan for a six-story, sixty-foot tall, 98-unit senior housing building. The density proposed was 71 units per acre. (See minutes from the Planning Commission discussion on pages A53–A57.)
- On June 27, 2012, the applicant presented a sketch plan for a four-story, forty four-foot tall, 60-unit senior housing building. The density proposed was 43 units per acre. (See minutes from the Planning Commission discussion on pages A58–A61.)

The consensus of the Planning Commission for both of those proposals was that the development proposed was too much for the site.

The Planning Commission and City Council considered a sketch similar to the proposed project last fall. (See the sketch plans on pages A11–A12; and the minutes from those meetings on pages A46–A52.) The applicant has attempted to address the issues raised by the Planning Commission and City Council. Some of the changes include:

- Reducing the density from High Density Residential to Medium Density Residential by eliminating one unit.
- Reducing the height from four stories to three.

There was a lot of discussion by both the Planning Commission and City Council regarding the number of units on this site. While the general belief was that medium density may be appropriate for the site, however, many suggested a greater reduction in the number of units; and providing more open area or green space on the site. The applicant however, has indicated that they may not be able to make the project work financially by further reducing the number of units.

## **SUPPORTING INFORMATION**

### **Surrounding Land Uses**

- Northerly: Single- family homes; zoned R-1, Single Dwelling Unit District and guided low density residential.
- Easterly: Single- family homes; zoned R-1, Single Dwelling Unit District and guided low density residential.
- Southerly: Vernon Avenue.
- Westerly: Railroad tracks and the Holiday Gas Station; Zoned and guided for Commercial use.

### **Existing Site Features**

The subject property is 1.43 acres in size, is relatively flat and contains a single-family home and two townhome buildings containing nine dwelling units between the two. (See pages A3–A6.)

### **Planning**

- Guide Plan designation: LDAR, Low Density Attached Residential (4-8 units per acre)
- Zoning: PRD-2, Planned Residential District-2

### **Access/Site Circulation**

Access to the site would be from 49<sup>th</sup> Street West on the north side of the site. This neighborhood is relatively isolated; there is only one roadway access point to the surrounding street system. That access is from Brookside Avenue, up to Interlachen Boulevard. (See page A2.) A public pedestrian connection would be made from the sidewalk on 49<sup>th</sup> Street through the site on the west lot line to Vernon Avenue, which would provide a Pedestrian Connection from this neighborhood to the GrandView area. (See pages A34-A35.)

### **Traffic Study**

Wenck and Associates conducted a traffic study, which concludes that the surrounding roadways could support the additional seven units that are proposed to be added, and no improvements are needed at adjacent intersections to accommodate the proposed project. (See the attached study dated February 4, 2012 on pages A62-A96.)

## **Landscaping**

Based on the perimeter of the site, the applicant is required to have 25 over story trees and a full complement of under story shrubs. The applicant is proposing 61 over story trees. They would include a mixture of Maple, Juniper, Spruce, Oak and Linden. (See pages A34–A35.) A full complement of understory landscaping is proposed around the buildings. Final Landscaping would be more closely reviewed with the Final Development Plan.

## **Grading/Drainage/Utilities**

The city engineer has reviewed the proposed plans and found them to be generally acceptable subject to the comments and conditions outlined on the attached page A97. A Developer's Agreement would be required for the construction of the proposed sidewalks, utilities and any other public improvements. Any approvals of this project would be subject to review and approval of the Minnehaha Creek Watershed District, as they are the City's review authority over the grading of the site. A more detailed review would be done at Final Development Plan.

## **Building/Building Material**

The applicant is proposing the townhomes to be made of painted fiber cement, architectural cast stone and stained wood panels. (See pages A26–A30.) The buildings would have flat roofs with patios on the top that would contain a rectangular deck.

## **Density**

The proposal is to develop 17 units on this 1.43 acre parcel. The proposed density would be 12 units per acre would be on the high end of the medium density residential range. However, there are already 10 units on this site, which is located on a minor arterial roadway (Vernon Avenue). Higher densities are often located on arterial roadways. Medium Density residential is often used to buffer low density residential development from commercial areas or major roadways. The proposed land use arrangement would accomplish that.

## **Preliminary Plat**

The applicant is also requesting a Preliminary Plat to create separate lots for each of the proposed units. (See the plat on pages A31-A32.)

## **Park Dedication**

Per Minnesota State Statute 462.353, Subd. 4(a) and Section 810.13 of the City Code, the applicant is required to dedicate land for public use as parks, playgrounds, recreation facilities, trails, or public open space.

Per Section 810.13, Subd. 5 of the City Code, the fees in lieu of land dedication is \$5,000 per dwelling unit. The development would create 7 new dwelling units; therefore \$35,000 would be required for park dedication at the time of release of the final plat.

The fee would be paid prior to the City's release of the signed final plat mylars or subdivision approval for recording with Hennepin County.

## **Future Project Expansion**

The proposed plans have been designed so that the proposed project could be extended to east. The internal driveway could be extended if needed. (See page A35.)

## **Planned Unit Development (PUD)**

Per Section 850.04, Subd. 4 D provides the following regulations for a PUD:

- 1. Purpose and Intent. The purpose of the PUD District is to provide comprehensive procedures and standards intended to allow more creativity and flexibility in site plan design than would be possible under a conventional zoning district. The decision to zone property to PUD is a public policy decision for the City Council to make in its legislative capacity. The purpose and intent of a PUD is to include most or all of the following:**
  - a. provide for the establishment of PUD (planned unit development) zoning districts in appropriate settings and situations to create or maintain a development pattern that is consistent with the City's Comprehensive Plan;**
  - b. promote a more creative and efficient approach to land use within the City, while at the same time protecting and promoting the health, safety, comfort, aesthetics, economic viability, and general welfare of the City;**
  - c. provide for variations to the strict application of the land use regulations in order to improve site design and operation, while at the same time incorporate design elements that**

**exceed the City's standards to offset the effect of any variations. Desired design elements may include: sustainable design, greater utilization of new technologies in building design, special construction materials, landscaping, lighting, stormwater management, pedestrian oriented design, and podium height at a street or transition to residential neighborhoods, parks or other sensitive uses;**

- d. ensure high quality of design and design compatible with surrounding land uses, including both existing and planned;**
- e. maintain or improve the efficiency of public streets and utilities;**
- f. preserve and enhance site characteristics including natural features, wetland protection, trees, open space, scenic views, and screening;**
- g. allow for mixing of land uses within a development;**
- h. encourage a variety of housing types including affordable housing; and**
- i. ensure the establishment of appropriate transitions between differing land uses.**

The proposal would meet the purpose and intent of the PUD, as most of the above criteria would be met.

The proposal would create a more efficient and creative use of the property. Currently the site does not engage Vernon Avenue. Today it is clearly the back of the site, and contains mature trees. The proposed site plan turns and faces Vernon Avenue with a row of two-story townhomes. (See pages A28-A29.) The plan also provides for a public sidewalk through the site from 49<sup>th</sup> to Vernon, that would connect, not only this development, but the entire area to the north to the GrandView District. Extensive landscaping is proposed around the perimeter of the site and adjacent to the proposed townhomes. The number of over story trees is over double the number required by City Code. The mature trees along Vernon Avenue would be preserved.

The transition of land uses is appropriate. Higher densities are often located on arterial roadways. Medium Density residential is often used to buffer low density residential development from commercial areas or major roadways. The proposed land use arrangement with the proposed development on Vernon Avenue, would buffer the low density residential

area to the north from Vernon Avenue and the Commercial development to the south. Proposed parking areas and garages are internal to the site, and would not be not visible from 49<sup>th</sup> street or Vernon Avenue.

## **2. Applicability/Criteria**

- a. Uses. All permitted uses, permitted accessory uses, conditional uses, and uses allowed by administrative permit contained in the various zoning districts defined in Section 850 of this Title shall be treated as potentially allowable uses within a PUD district, provided they would be allowable on the site under the Comprehensive Plan. Property currently zoned R-1, R-2 and PRD-1 shall not be eligible for a PUD.**

The proposed use, townhomes containing six or fewer uses, is a permitted use in the existing zoning PRD-2 Zoning District.

- b. Eligibility Standards. To be eligible for a PUD district, all development should be in compliance with the following:**
  - i. where the site of a proposed PUD is designated for more than one (1) land use in the Comprehensive Plan, the City may require that the PUD include all the land uses so designated or such combination of the designated uses as the City Council shall deem appropriate to achieve the purposes of this ordinance and the Comprehensive Plan;**

The site is guided in the Comprehensive Plan for "Low Density Attached Residential - LDAR," which allows 4-8 units per acre. The proposed plan would require a Comprehensive Plan Amendment to allow a density of 5-12 units per acre. Under the current zoning, a maximum of 11 units would be allowed on the site; 10 exist today. The proposal for a Comprehensive Plan Amendment would allow six additional units on the site.

- ii. any PUD which involves a single land use type or housing type may be permitted provided that it is otherwise consistent with the objectives of this ordinance and the Comprehensive Plan;**

This project would be for a single land use; however, as stated above is consistent with some of the objectives of the PUD Ordinance.

- iii. permitted densities may be specifically stated in the appropriate planned development designation and shall**

***be in general conformance with the Comprehensive Plan;  
and***

The proposed density requires an amendment to the Comprehensive Plan. If the Plan is amended it would allow a maximum of 17 units on this site, as it is on the high end of the density range for medium density development.

***iv. the setback regulation, building coverage and floor area ratio of the most closely related conventional zoning district shall be considered presumptively appropriate, but may be departed from to accomplish the purpose and intent described in #1 above.***

The following page shows a compliance table demonstrating how the proposed new building would comply with the underlying PRD-2 Zoning Ordinance Standards. Should the City decide to rezone this site to PUD, the proposed setbacks, height of the building and number of parking stalls would become the standards for the lots. Please note that a few City Standards are not met under conventional zoning. However, by relaxing these standards, the purpose and intent, as described in #1 above would be met.

The site layout would be improved by engaging Vernon Avenue and providing a public pedestrian connection to Vernon Avenue and the GrandView District.

The design of the buildings would be of painted fiber cement, architectural cast stone and stained wood panels (See pages A26–A30.)

## Compliance Table

	City Standard (PRD-2)	Proposed
Front – 49 <sup>th</sup> Street	30 feet	<b>25 feet*</b>
Front – Vernon	30 feet	<b>16 feet*</b>
Side – East	30 feet	<b>15 feet*</b>
Side – West	30 feet	<b>20 feet*</b>
Building Height	2-1/2 stories or 30 feet, whichever is less	2 stories & <b>32 feet</b>
Building Coverage	25%	<b>25.5%*</b>
Density	8 units per acre (11 units)	<b>12 units per acre* (17 units)</b>
Parking Stalls	2 enclosed spaces per unit	2 enclosed spaces per unit

*\*Variances would be required Under the PRD-2 Regulations*

### PRIMARY ISSUES/STAFF RECOMMENDATION

#### Primary Issues

- **Is Medium Density development reasonable for this site?**

Yes. Staff believes the proposed density is reasonable for the following reasons:

1. The transition of land uses is appropriate. The townhome proposal would provide a nice transition of land uses between the single-family homes to the north, to Vernon Avenue and the GrandView commercial district to the south. The proposed townhome development would serve as a buffer; with a row of six townhomes facing 49<sup>th</sup> Street.
2. The proposal would be a vast improvement over the current two existing apartment buildings and single-family home on the site.
3. Parking areas and garages are internal to the site, and not visible from 49th street or Vernon Avenue.
4. The proposed two/three story buildings are generally consistent with existing height in the area.

5. The proposed project would meet the following goals and policies of the Comprehensive Plan:
  - a. Increase pedestrian and bicycling opportunities and connections between neighborhoods, and with other communities, to improve transportation infrastructure and reduce dependence on the car.
  - b. Locate and orient buildings to fit with their existing and/or planned context by framing and complementing adjacent streets, parks and open spaces.
  - c. Locate and orient vehicle parking, vehicular access, service areas and utilities to minimize their visual impact on the property and on adjacent/surrounding properties, without compromising the safety and attractiveness of adjacent streets, parks, and open spaces.
  - d. Regulate scale, massing, and height to provide complementary transitions to adjacent sites and nearby neighborhoods and areas.
  - e. Encourage infill/redevelopment opportunities that optimize use of city infrastructure and that complement area, neighborhood, and/or corridor context and character.
6. The existing roadways would support the project. Wenck and Associates conducted a traffic impact study, and concluded that the proposed development could be supported by the existing roads. (See pages A62–A96.)

- **Is the PUD Zoning District appropriate for the site?**

Yes. Staff believes that the PUD is appropriate for the site. As highlighted above on pages 5-8, the proposal meets the City's criteria for PUD zoning. In summary the PUD zoning would:

1. Create a more efficient and creative use of the property. Currently the site does not engage Vernon Avenue. Today Vernon is clearly the back of the site, and contains mature trees. The proposed site plan turns and faces Vernon Avenue with a row of two-story townhomes. (See pages A26-A27.)
2. Provide internal parking. Parking areas and garages are internal to the site, and not visible from 49<sup>th</sup> street or Vernon Avenue.
3. Enhance pedestrian connections. The plan provides for a public sidewalk through the site from 49<sup>th</sup> to Vernon, that would connect, not only this development, but the entire area to the north to the GrandView District.

4. Enhance landscaping. Extensive landscaping is proposed around the perimeter of the site and adjacent to the proposed townhomes. The number of over story trees is over double the number required by City Code. The mature trees along Vernon Avenue would be preserved.
5. Ensure that the buildings proposed would be the only building built on the site, unless an amendment to the PUD is approved by City Council.

### **Staff Recommendation**

#### ***Comprehensive Plan Amendment***

Recommend that the City Council approve the request for a Comprehensive Plan Amendment from LDAR, Low Density Attached Residential (4-8 units per acre) to MDR, Medium Density Residential (5-12 units per acre) for the subject property.

Approval is subject to the following findings:

1. The subject property is a transition area, and serves as a buffer from single-family homes to the north to Vernon Avenue and the GrandView Commercial area to the south.
2. The proposal would be an improvement over the current two existing apartment buildings and single-family home (10 units) on the site. Seven townhomes would face 49<sup>th</sup> Street and eight townhomes would face Vernon Avenue with the garages and drive aisle internal to the site.
3. The proposed two/three story buildings are generally consistent with existing height in the area.
4. The existing roadways would support the project. Wenck and Associates conducted a traffic impact study, and concluded that the proposed development could be supported by the existing roads.
5. The proposed project would meet the following goals and policies of the Comprehensive Plan:
  - a. Increase pedestrian and bicycling opportunities and connections between neighborhoods, and with other communities, to improve transportation infrastructure and reduce dependence on the car.
  - b. Locate and orient buildings to fit with their existing and/or planned context by framing and complementing adjacent streets, parks and open spaces.

- c. Locate and orient vehicle parking, vehicular access, service areas and utilities to minimize their visual impact on the property and on adjacent/surrounding properties, without compromising the safety and attractiveness of adjacent streets, parks, and open spaces.
- d. Regulate scale, massing, and height to provide complementary transitions to adjacent sites and nearby neighborhoods and areas.
- e. Encourage infill/redevelopment opportunities that optimize use of city infrastructure and that complement area, neighborhood, and/or corridor context and character.

### ***Preliminary Rezoning to PUD & Preliminary Development Plan***

Recommend that the City Council approve the Preliminary Rezoning from PRD-2, Planned Residential District to PUD, Planned Unit Development District and Preliminary Development Plan to build 17 new townhomes on the subject 1.43 acre parcel.

Approval is subject to the following findings:

1. The proposal would create a more efficient and creative use of the property. Currently the site does not engage Vernon Avenue. Today it is clearly the back of the site, and contains mature trees. The proposed site plan turns and faces Vernon Avenue with a row of two-story townhomes.
2. Parking areas and garages are internal to the site, and not visible from 49<sup>th</sup> street or Vernon Avenue.
3. The project would enhance pedestrian connections. The plan provides for a public sidewalk through the site from 49<sup>th</sup> to Vernon, that would connect, not only this development, but the entire area to the north to the GrandView District.
4. Landscaping would be enhanced. Extensive Landscaping is proposed around the perimeter of the site and adjacent to the proposed townhomes. The number of over story trees is over double the number required by City Code. The mature trees along Vernon Avenue would be preserved.

Approval is subject to the following Conditions:

1. The Final Development Plans must be generally consistent with the Preliminary Development Plans dated February 13, 2013.

2. The Final Landscape Plan must meet all minimum landscaping requirements per Section 850.04 of the Zoning Ordinance.
3. Compliance with all of the conditions outlined in the city engineer's memo dated March 7, 2013.
4. Final Rezoning is subject to a Zoning Ordinance Amendment creating the PUD, Planned Unit Development for this site.

### **Subdivision – Preliminary Plat**

Recommend that the City Council approve the Preliminary Plat to create a new 17-lot townhome plat for the subject property.

Approval is subject to the following findings:

1. The proposed plat meets all Zoning and Subdivision Ordinance requirements.

Approval is subject to the following conditions:

1. Approval of the Final Rezoning of the subject property to Planned Unit Development, PUD.
2. The Final Plat must be considered within one-year after approval of the Preliminary Plat, or the Preliminary Plat shall be deemed null and void.
3. A shared parking and access agreement must be established across the Plat.
4. The Park Dedication fee of \$35,000 shall be paid prior to release of the mylars approving the Final Plat.

**Deadline for a city decision: June 4, 2013**

# City of Edina



- Legend**
- House Number Labels
  - Street Name Labels
  - City Limits
  - Creeks
  - Lake Names
  - Lakes
  - Parks
  - Parcels

Map created with ArcGIS - Copyright (C) 1992-2005 GIS 2005



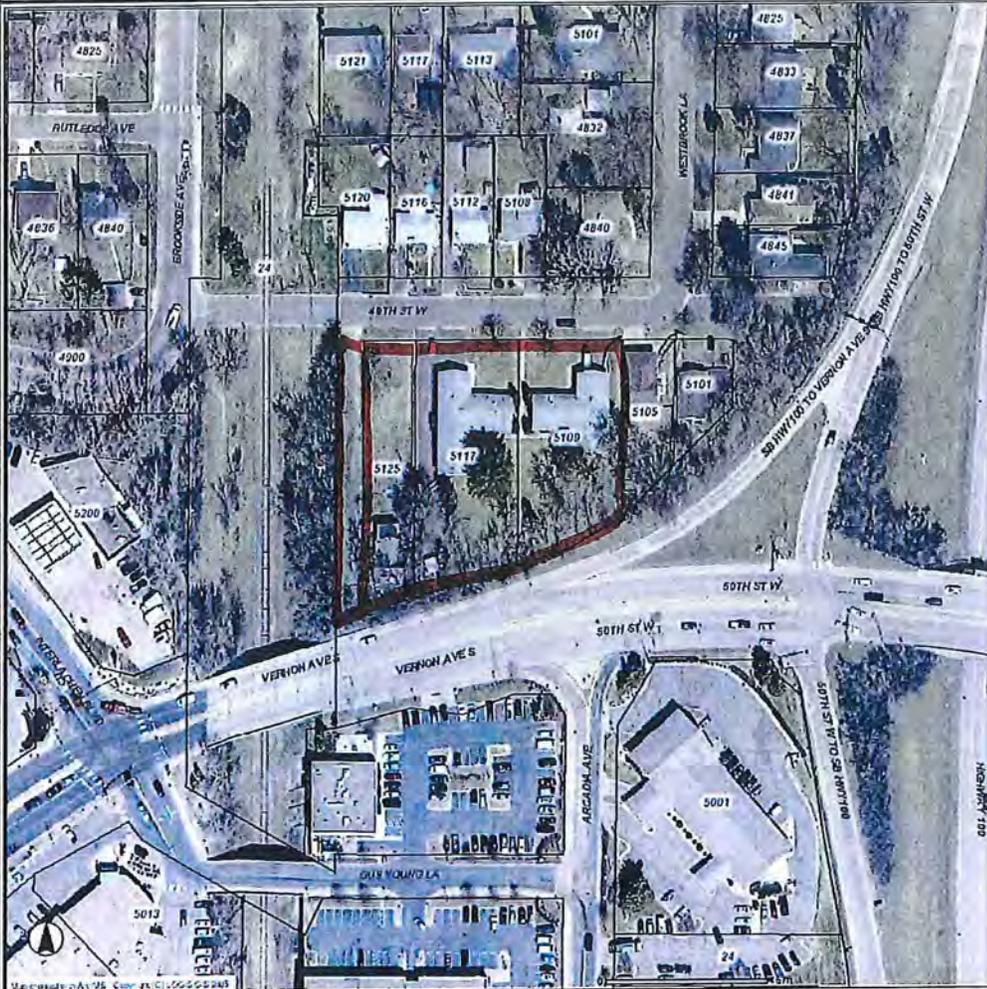
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**5115 49th St W  
Edina, MN 55436**



AI

# City of Edina



- Legend**
- House Number Labels
  - Street Name Labels
  - City Limits
  - Creeks
  - Lake Names
  - Lakes
  - Parks
  - Parcels
  - 2009 Aerial Photo



**PID: 2811721310040**

**5115 49th St W  
Edina, MN 55436**



# City of Edina



- Legend**
- House Number Labels
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**PID: 2811721310040**

**5115 49th St W  
Edina, MN 55436**



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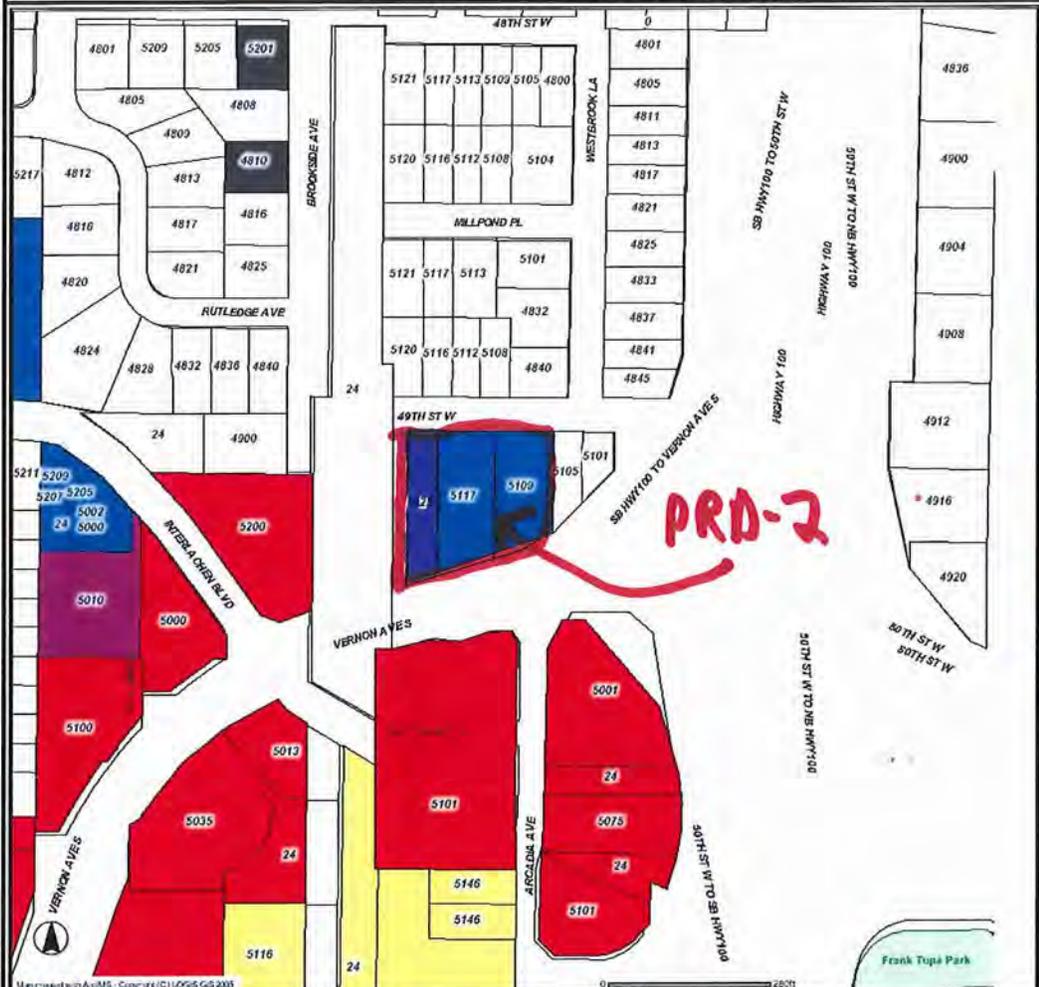


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A6

# City of Edina



- Legend**
- House Number Labels
  - Street Name Labels
  - City Limits
  - Creeks
  - Lake Names
  - Lakes
  - Parks
  - Zoning
  - APD (Automobile Parking District)
  - MDD-4 (Mixed Development District)
  - MDD-5 (Mixed Development District)
  - MDD-6 (Mixed Development District)
  - PCO-1 (Planned Commercial District)
  - PCO-2 (Planned Commercial District)
  - PCO-3 (Planned Commercial District)
  - PCO-4 (Planned Commercial District)
  - PID (Planned Industrial District)
  - POO-1 (Planned Office District)
  - POO-2 (Planned Office District)
  - PRD-1 (Planned Residential District)
  - PRD-2 (Planned Residential District)
  - PRD-3 (Planned Residential District)
  - PRD-4 (Planned Residential District)
  - PRD-5 (Planned Residential District)
  - PSR-4 (Planned Senior District)
  - R-1 (Single Dwelling Unit)
  - R-2 (Double Dwelling Unit)
  - RMD (Regional Medical District)
  - Parcels

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**PID: 2811721310040**

**5115 49th St W  
Edina, MN 55436**

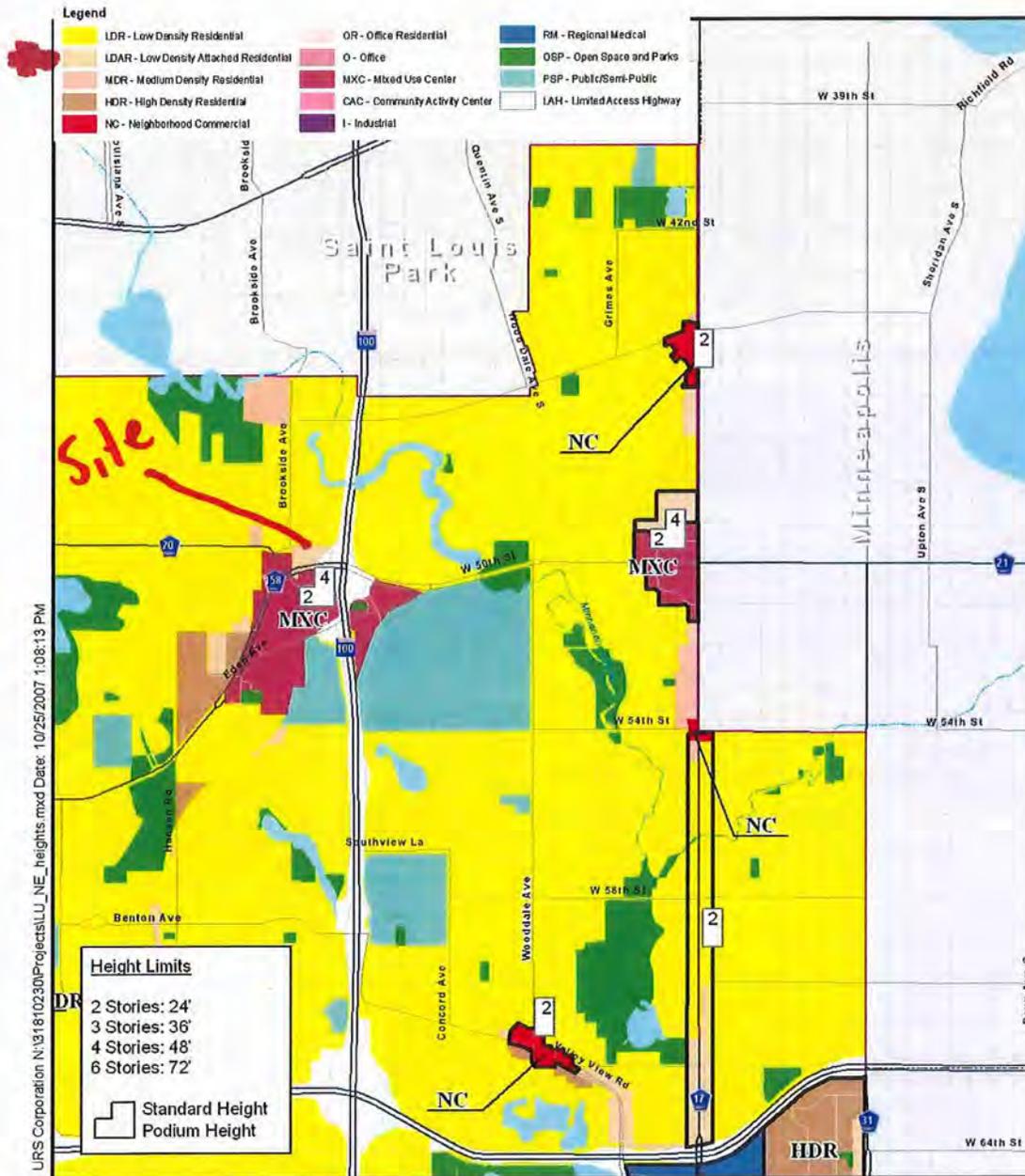


A7



**Table 4.3. Future Land Use Categories**

Residential Categories	Description, Land Uses	Development Guidelines	Density Range
<b>LDR</b> Low Density Residential	Applies to largely single-family residential neighborhoods, encompassing a variety of lot sizes and street patterns (see "Character Districts" for more detail). Typically includes small institutional uses such as schools, churches, neighborhood parks, etc.	Massing standards (under development) and impervious coverage limitations would apply to ensure compatibility of infill construction.	<b>1 - 5 units/acre</b> Floor to Area Ratio: per current Zoning Code*
<b>LDA</b> Low-Density Attached Residential	Applies to two-family and attached dwellings of low densities and moderate heights. This category recognizes the historical role of these housing types as transitional districts between single-family residential areas and major thoroughfares or commercial districts. May include single-family detached dwellings.	Introduction of more contemporary housing types, such as low-density townhouses, may be an appropriate replacement for two-family dwellings in some locations, provided that adequate transitions to and buffering of adjacent dwellings can be achieved.	<b>4 - 8 units/acre</b> Floor to Area Ratio: per current Zoning Code*
<b>MDR</b> Medium-Density Residential	Applies to attached housing (townhouses, quads, etc.) and multi-family complexes of moderate density. May also include small institutional uses, parks and open space	In new development or redevelopment, improve integration of multi-family housing into an interconnected street network and work to create an attractive, pedestrian-friendly street edge.	<b>5 - 12 units/acre</b> Floor to Area Ratio: per current Zoning Code*
<b>HDR</b> High-Density Residential	Existing "high-rise" and other concentrated multi-family residential, some of which may contain a mixed use component. May also include limited office, service or institutional uses primarily to serve residents' needs, parks and open space	Provide incentives for updating older multifamily buildings. Work to create an attractive, pedestrian-friendly street edge and provide convenient access to transit, schools, parks, and other community destinations.	<b>12 - 30 units/acre</b> Floor to Area Ratio: per current Zoning Code*



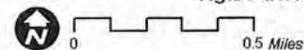
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**City of Edina**  
2008 Comprehensive Plan Update

Data Source: URS

**Future Land Use Plan with Building Heights**  
Northeast Quadrant  
Figure 4.6A



79

A10



Illustrative Master Plan

## Supporting Policies - GrandView Height SAP

### GUIDING PRINCIPLES

- Turn perceived barriers into opportunities. Consider layering development over supporting infrastructure and taking advantage of the natural topography of the area
- Design for the present and the future by pursuing logical increments of change using key parcels as stepping stones to a more vibrant, walkable, functional, attractive, and life-filled place
- Create an identity and unique sense of place that incorporates natural spaces into a high quality and sustainable development reflecting Edina's innovative development heritage

### LAND USE GOALS

- Recognize the need for a range of housing types and choices and address those markets that also reinforce the district vision
- Address needs of underserved populations (teens, singles, seniors, etc)

### PUBLIC REALM GOALS

Plan for a safe, comfortable pedestrian environment that links public and private destinations north-south (neighborhoods, library, businesses) and east-west (neighborhoods, businesses, commons, city hall)

### TRANSPORTATION GOALS

- Create a more bike and pedestrian environment by applying Complete Streets and Living Streets principles to Vernon, Eden and the local street network

- Create an improved circulation and access network between public streets/parcels and private development/destination
- Complete the pedestrian/bike system...make bikes and pedestrians a priority and allow for a safe crossing over Highway 100
- Reserve the CP Rail corridor for future, possible public transit and non-motorized movement/connection in the district

### SUSTAINABILITY

- City Council Living Streets policy - Recommendation of the Edina Transportation Commission (ETC) to establish a comprehensive Living Streets Policy that integrated all modes of transportation and addressed issues such as: traffic calming, stormwater management, promoting active living, community feel, improving walking and biking, and enhancing urban forests.

### IMPLEMENTATION

- YEARS 1-5**
- CP Rail bike path from Eden to Brookside

**YEARS 5-10**

- Vernon Living Streets/streetscape/3 lane section
- Dedicate right turn from Vernon to Interlachen
- Vernon as primary bike route to GrandV Crossing

**YEARS 10+**

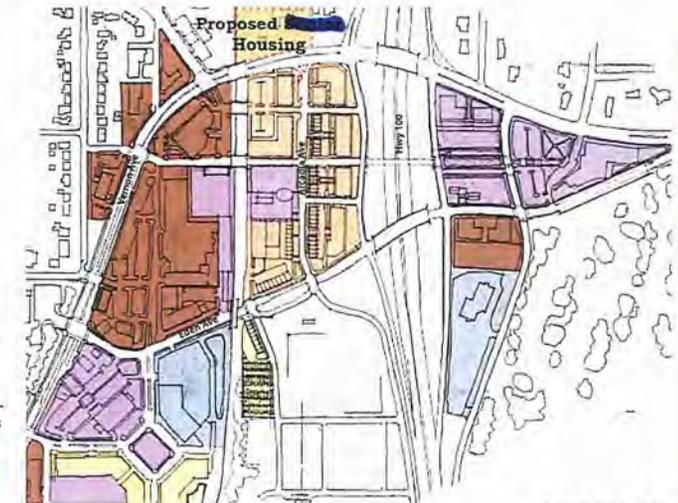
- Hwy 100 pedestrian/bike bridge

PLANNING DEPARTMENT  
MAR 14 2012  
CITY OF EDINA



Bicycle Improvements

Orange	Primary Bike routes
Pink	Secondary bike routes
Green	Trail (on CP ROW)



Land Use Map

Purple	Public / semi public
Brown	neighborhood commercial
Yellow	mixed-use center
Blue	office
Red	medium / high density residential



All



MEMORANDUM

BKV  
GROUP

Architecture  
Interior Design  
Landscape Architecture  
Engineering

Boarman  
Kroos  
Vogel  
Group  
Inc.

222 North Second Street  
Minneapolis, MN 55401  
Telephone: 612.339.3752  
Facsimile: 612.339.6212  
www.bkvgroup.com  
EOE

**PROJECT:** Vernon Avenue Housing

**TO:** Cary Teague

**FROM:** David Motzenbecker

**CLIENT / FIRM NAME:** Edina Fifty Five, LLC    **COMM. NO.:** 1874.01

**DATE:** 02.13.13

**RE:** Narrative for Vernon Avenue Housing Development Land Use Applications

---

After much thought and market study, the Vernon Avenue Housing development has been reconfigured to be a 17-unit townhome development. The units will be 3 levels and 30' high, each with their own tuck-under 2- or 3-car garage. They will range in gross floor area from 3120 to 3600 square feet. The development is located on three parcels of land adjacent to the Vernon Avenue exit ramp from Hwy. 100 southbound. The parcels are between Vernon Avenue on the south and 49<sup>th</sup> Street on the north.

The development is envisioned to meet the demands of empty-nesters and those who want to stay in Edina and downsize their homes. However, life-cycle housing is currently in short supply. We see this development ensuring a high quality of design that is compatible with the surrounding neighborhood, as well as fitting in nicely with the current GrandView Heights Small Area Plan and many of its suggestions.

Taking the Planning Commission's and Staff's previous comments into consideration, we've reduced the density and scale to something we feel better fits within the neighborhood context. Seventeen units currently equates to approximately 12.14 units/acre. The building has been reduced in height from the previous scheme from 4 stories to 3 stories, fitting within the zoning requirements for height.

Adding a townhome development at this location is appropriate and will bring public value to the city and neighborhood. The creation of life-cycle housing with a high-level of amenities is an excellent public value. With its location near Hwy. 100, the development allows easy vehicular access for those who have cars. We believe that by locating the development here that we are eliminating additional traffic that will filter into the heart of the neighborhood

One of the key elements of our site plan is how we are connecting the development to greater Edina. We are still planning to add a public walkway to our site that connects 49<sup>th</sup> Street and the neighborhood beyond directly to Vernon Avenue. This access route works directly into the small area plan route suggestions of bicycle and pedestrian paths. We also anticipate improving the sidewalk and boulevard along Vernon, helping to create a better connection to the east. We envision this as a catalyst towards beginning the "complete streets" transformation of Vernon as outlined in the small area plan.

One of our sustainability goals is to retain as much of the mature vegetation and trees as possible, ensuring the development has a good vegetative buffer from the surrounding traffic. This also benefits the developments heating and cooling costs, as the trees will help keep the building cooler during the summer months, and when the leaves drop, allow the sun to warm the building during winter.

The parcels - 5109, 5117, and 5125 49<sup>th</sup> Street W – are 60,850 square feet (1.4 acres) in size and zoned PRD-2. The current zoning allows 2.5 stories/30' and 6 units. The current zoning requires 7300 s.f./unit. Due to our proposed number of units, we are anticipating a need to up-zone these parcels to a PUD zoning classification.

In conclusion, we anticipate the following land use applications:

1. Rezoning from PRD-2 to PUD
2. Comprehensive Plan Amendment
3. Preliminary Development Plan Application

We ask for your support and recommendations of approval for this submittal.



Architecture  
Interior Design  
Landscape Architecture  
Engineering

Boorman  
Kroos  
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EOE

# MEMORANDUM

**PROJECT:** Vernon Avenue Housing

**TO:** Cary Teague

**FROM:** David Motzenbecker

**CLIENT / FIRM NAME:** Hunt Associates      **COMM. NO.:** 1874.01

**DATE:** 03.04.13

**RE:** Narrative for Vernon Avenue Housing Development – PUD Addendum

Please see the attached addendum language outlining in more detail our reasoning for why a PUD is the appropriate zoning for this project. We have provided examples from both the PUD guidelines and the overarching goals, principles and policies of the 2008 Edina Comprehensive Plan that support the proposed development..

## Planned Unit Development (PUD)

Per Section 850.04. Subd. 4 D provides the following regulations for a PUD:

1. **Purpose and Intent.** The purpose of the PUD District is to provide comprehensive procedures and standards intended to allow more creativity and flexibility in site plan design than would be possible under a conventional zoning district. The decision to zone property to PUD is a public policy decision for the City Council to make in its legislative capacity. The purpose and intent of a PUD is to include most or all of the following:
  - a. provide for the establishment of PUD (planned unit development) zoning districts in appropriate settings and situations to create or maintain a development pattern that is consistent with the City's Comprehensive Plan;

Townhomes and duplexes are *"the most common building types in Edina. They tend to be clustered close to highway or major road corridors, while duplexes are often found in narrow strips along major thoroughfares such as Vernon or France Avenues as a kind of buffer for adjacent single-family detached housing."* (2008 Comp Plan, Ch. 4, Pg.3)

This development fits best within a PUD zoning district. The setting is appropriate for medium-density residential, as it is immediately adjacent to the Hwy. 100 off-

415

ramp and Vernon Avenue; as well across from the proposed Grandview Heights redevelopment planned for south of Vernon, which will add density and activity to the area. The proposed townhomes will help to buffer the single family homes north across 49<sup>th</sup> from the traffic on adjacent streets and activity to the south. In these ways the proposed development is consistent with the City's Comprehensive Plan.

The proposed development also supports the following **Land Use Goals** found in the Comp Plan (2008 Comp Plan, Ch. 4, Pg. 21-22):

**2. Preserve and maintain housing that serves a range of age groups and economic situations.** This development offers options for downsizing and compact living that is immediately adjacent to 4 transit routes with 30 minute headways; proposed retail and commercial development; and ease of access to the road network.

**4. Encourage infill/redevelopment opportunities that optimize use of city infrastructure and that complement area, neighborhood, and/or corridor context and character.** The proposed architecture and style of townhome complements the character of the area, creating a high-quality transition and buffer from a busy street network to a residential neighborhood.

**7. Increase pedestrian and bicycling opportunities and connections between neighborhoods, and with other communities, to improve transportation infrastructure and reduce dependence on the car.** This location encourages walking and biking – residing immediately adjacent to a proposed regional trail, as well as creating a pedestrian and bicycle path to connect the greater neighborhood north of 49<sup>th</sup> to Vernon Ave and all points east, west, and south from there.

Per Edina's Bicycle Transportation Plan, the proposed development is located dead center at the intersection of:

- a) a primary bike route – 50<sup>th</sup> Street,
- b) a secondary bike route – proposed to weave between Vernon and Interlachen and across 100 at what appears to be 49<sup>th</sup> Street,
- c) what is called out in the plan as a major destination – Vernon, Hwy. 100, and Grandview,
- d) the proposed regional Canadian Pacific Trail that is envisioned as a major bike commuter trail with connections to the Cedar Lake Trail to the north.

The location of this connection is also immediately adjacent to 3 transit stops which serve 4 bus routes with 30 minute headways which connect residents to the greater metro area.

**8. Ensure that the public realm corridor design is contextual, respectful of adjacent neighborhood character, supportive of adjacent commercial and/or mixed use development, promotes community identity and orientation, and creates the highest quality experience for pedestrians, cyclists, and transit users.** The enhancement of the public realm along Vernon provides individual unit access to the pedestrian realm, adjacent transit, and commercial. Landscaping will be enhanced along the length of the property adjacent to Vernon and 49<sup>th</sup>. Adding this access and vegetation will be a substantial enhancement over the current pedestrian environment.

**9. Incorporate principles of sustainability and energy conservation into all aspects of design, construction, renovation and long-term operation of new and existing development.** General sustainability principles for building and site will be applied. There is the possibility of the existing buildings being relocated, which would be very sustainable. Should demolition be the result, many of the building materials will be recycled. Low VOC paints, Energy Star appliances, and high-efficiency HVAC will all be standard. Sustainable and long-lasting building materials such as stone, brick, and cement board with recycled content will be incorporated into the design. Skylights will add additional daylighting to the units, reducing energy consumption.

Tree plantings and species were chosen to enhance solar gain in the winter and cooling in summer, again reducing energy consumption. Stormwater infiltration and a variety of native plants continue the sustainability trend.

The proposed development also supports following the **Land Use Policies** found in the Comp Plan (2008 Comp Plan, Ch. 4, Pg. 34):

**1. The City will endeavor to accommodate private redevelopment in the Greater Southdale area, Grandview Heights and the West 77<sup>th</sup> St. corridor.**

This is a key location for redevelopment immediately adjacent to the Grandview Heights locale. We are proposing to build 17 units of residential housing (a net increase of only 7 units over the existing development) on the edge of a walkable, soon-to-be enhanced small area plan location within this corner of Edina.

**5. In reviewing development proposals, the City will examine how land use and transportation are integrated to ensure that new development and redevelopment expands non-motorized travel options.** The location of this connection is immediately adjacent to 3 transit stops which serve 4 bus routes that have 30 min. headways, which in turn connect residents to the greater metro area. Per Edina's Bicycle Transportation Plan, the proposed development is located dead center at the intersection of:

- a) a primary bike route – 50<sup>th</sup> Street,
- b) a secondary bike route – proposed to weave between Vernon and Interlachen and across 100 at what appears to be 49<sup>th</sup> Street,
- c) what is called out in the plan as a major destination – Vernon, Hwy. 100, and Grandview,

d) the proposed regional Canadian Pacific Trail that is envisioned as a major bike commuter trail with connections to the Cedar Lake Trail to the north.

**8. The City will grow and develop in a sustainable manner that will protect its high quality natural environment, promote energy efficiency and conservation of natural resources, and minimize the impacts of buildings on the environment over the lifetime of each building.**

General sustainability principles for building and site will be applied. There is the possibility of the existing buildings being relocated, which would be very sustainable. Should demolition be the result, many of the building materials will be recycled. Low VOC paints, Energy Star appliances, and high-efficiency HVAC will all be standard. Sustainable and long-lasting building materials such as stone, brick, and cement board with recycled content will be incorporated into the design. Skylights will add additional daylighting to the units, reducing energy consumption. Tree plantings and species were chosen to enhance solar gain in the winter and cooling in summer, again reducing energy consumption. Stormwater infiltration and a variety of native plants continue the sustainability trend.

The proposed development also supports the following **Principles for Citywide Movement Patterns and Public Spaces** found in the Comp Plan (2008 Comp Plan, Ch. 4, Pg. 36-37):

**2. Design public open and green linkages that bring both amenity and positive image to neighborhoods, corridors, and business precincts.**

Adding the new pedestrian and bike connections integrated into the development and enhanced on the Vernon edge will enhance the image of this "Gateway" corner and act as an amenity that currently does not exist.

**4. Preserve and make accessible natural areas and features as part of the comprehensive open space network.**

Adding the new pedestrian and bike connections integrated into the development and enhanced on the Vernon edge will offer an easy connection down to the proposed Canadian Pacific Regional Trail and from there to the metro area open space network.

**5. Protect and improve the urban forest, including street trees and related landscaping, in order to provide shade and shelter for pedestrians and screening for parking and service uses.**

Adding and protecting street trees, screening with coniferous trees and enhanced landscaping will accomplish the intent of this principle.

**6. Create and promote environments that make it safe and convenient for people to integrate physical activity into their daily routines.**

Adding the new pedestrian and bike connections integrated into the development and enhanced on the Vernon edge will make it much easier and convenient for access to the bike route on 50<sup>th</sup>, the proposed regional trail, and walking connections from north of 49<sup>th</sup> to the Grandview Heights redevelopment.

**7. Recognize and integrate Edina's historic landscape features, such as its stone walls and gateways, into the design and redesign of streets, paths, and pedestrian ways.**

Low stone walls are being proposed for the landscape design, helping to retain the hillside along Vernon and to provide transition from 49<sup>th</sup> to the building entries.

**10. Within corridors served by existing or planned transit, orient buildings towards sidewalk and paths that lead to mixed use destinations and transit stops.** The units in the proposed development are connected to the public sidewalk via internal paths, taking users directly to 3 transit stops immediately adjacent.

**11. Encourage design of building entrances that open up and link directly to sidewalks and pedestrian and bike paths.**

The units in the proposed development are connected to the public sidewalk via internal paths, taking users directly to the 50<sup>th</sup> Street Bike route.

Proposed development is also immediately adjacent to the potential Grandview Gateway location and proposed regional trail, per Comp Plan. (2008 Comp Plan, Ch. 4, Pg. 40)

The design of the proposed development supports the following **Guidelines for integration of multi-unit housing into transitional areas** found in the Comp Plan (2008 Comp Plan, Ch. 4, Pg. 43-44):

- Housing should emulate single-family housing in its basic architectural elements – pitched roofs, articulated facades, visible entrances, porches or balconies.
- Including semi-private transitional space such as a porch and adequate landscaping provide a sense of privacy for residents while allowing them to keep "eyes on the street". Provide opportunities for surveillance of shared outdoor areas such as streets.
- Parking garages should be located to the rear or interior of the block

**b. promote a more creative and efficient approach to land use within the City, while at the same time protecting and promoting the health, safety, comfort, aesthetics, economic viability, and general welfare of the City;**

The proposed development is creating an efficient use of the existing lots by incorporating 17 units (a net increase of only 7 units over the current existing housing) of medium-density housing into a transitional buffer between single-family residential and higher volume roadways and the proposed mixed-use Grandview Heights district. The design of this development places all garages and vehicles to the center of the site; adds pedestrian connections; and individual entries promoting health, safety, comfort and aesthetics. This will enhance the city's tax base and bring an enhanced development to a key gateway location.

**c. provide for variations to the strict application of the land use regulations in order to improve site design and operation, while at the same time incorporate design elements that exceed the City's standards to offset the effect of any variations. Desired design elements may include: sustainable design, greater utilization of new technologies in building design, special construction materials, landscaping, lighting, stormwater management, pedestrian oriented design, and podium height at a street or transition to residential neighborhoods, parks or other sensitive uses;**

General sustainability principles for building and site will be applied. There is the possibility of the existing buildings being relocated, which would be very sustainable. Should demolition be the result, many of the building materials will be recycled. Low VOC paints, Energy Star appliances, and high-efficiency HVAC will all be standard. Sustainable and long-lasting building materials such as stone, brick, and cement board with recycled content will be incorporated into the design. Skylights will add additional daylighting to the units, reducing energy consumption. Tree plantings and species were chosen to enhance solar gain in the winter and cooling in summer, again reducing energy consumption. Stormwater infiltration and a variety of native plants continue the sustainability trend. Site lighting will be tasteful and located to enhance safety of pedestrians and deterrence of crime, while keeping light pollution to a minimum. The pedestrian and bicycle-oriented design with the added connections greatly increases the accessibility of this location to other locales in the city.

**d. ensure high quality of design and design compatible with surrounding land uses, including both existing and planned;**

Sustainable and long-lasting building materials such as stone, brick, and cement board with recycled content will be incorporated into the design. The building aesthetic will be compatible with the surrounding land uses.

**e. maintain or improve the efficiency of public streets and utilities;**

The proposed development maintains the efficiency of public streets and does not create a detriment to access or traffic. All intersections have adequate capacity and no improvements are needed. Vehicle queues do not interfere with intersection operations.

**f. preserve and enhance site characteristics including natural features, wetland protection, trees, open space, scenic views, and screening;**

*"Landscaping is frequently used to define entries or as a buffer from adjoining roads or surrounding development." (2008 Comp Plan, Ch. 4, Pg.13)*

Tree plantings and species were chosen to enhance solar gain in the winter and cooling in summer, again reducing energy consumption. The goal is to keep as many of the existing plantings along Vernon as is possible, while using coniferous planting to help screen the development from uses to the east. The proposed pedestrian and bike connection from 49<sup>th</sup> to Vernon offers a view of the open space to the west, which over time, will become the regional trail.

**g. allow for mixing of land uses within a development;**

There is only a single use within this development, as the surrounding character of the area on the north side of Vernon Ave is strictly single-family residential. This development is seen as a quality addition to the site which will act as a transitional buffer between the planned mixed-use Grandview Heights area to the south and the neighborhood to the north.

**h. encourage a variety of housing types including affordable housing;  
and**

The development will offer a variety of townhome square footages at market rate.

**i. ensure the establishment of appropriate transitions between differing land uses.**

There is only a single use within this development, as the surrounding character of the area on the north side of Vernon Ave is strictly single-family residential. This development is seen as a quality addition to the site which will act as a transitional buffer between the planned mixed-use Grandview Heights area to the south and the neighborhood to the north.

**2. Applicability/Criteria**

**a. Uses. All permitted uses, permitted accessory uses, conditional uses, and uses allowed by administrative permit contained in the various zoning districts defined in Section 850 of this Title shall be treated as potentially allowable uses within a PUD district, provided they would be allowable on the site under the Comprehensive Plan. Property currently zoned R-1, R-2 and PRD-1 shall not be eligible for a PUD.**

The current zoning for two of the parcels is PRD-2, one is R-1. We feel for continuity and ability to meet the goals of the PUD and Comprehensive Plan, all parcels should be folded into a PUD zoning land use.

**b. Eligibility Standards. To be eligible for a PUD district, all development should be in compliance with the following:**

- i. where the site of a proposed PUD is designated for more than one (1) land use in the Comprehensive Plan, the City may require that the PUD include all the land uses so designated or such combination of the designated uses as the City Council shall deem appropriate to achieve the purposes of this ordinance and the Comprehensive Plan;**

Not applicable to this development, as all land uses are designated residential.

- ii. **any PUD which involves a single land use type or housing type may be permitted provided that it is otherwise consistent with the objectives of this ordinance and the Comprehensive Plan;**

As a single residential land use typology, a PUD should be approved at this location to allow the proposed development due to its consistency with the aforementioned objectives, principles, goals and policies of the Edina Comprehensive Plan.

- ii. **permitted densities may be specifically stated in the appropriate planned development designation and shall be in general conformance with the Comprehensive Plan; and**

The proposed density is in general conformance with the Comprehensive Plan. Townhomes and duplexes are *"the most common building types in Edina. They tend to be clustered close to highway or major road corridors, while duplexes are often found in narrow strips along major thoroughfares such as Vernon or France Avenues as a kind of buffer for adjacent single-family detached housing."* (2008 Comp Plan, Ch. 4, Pg.3)

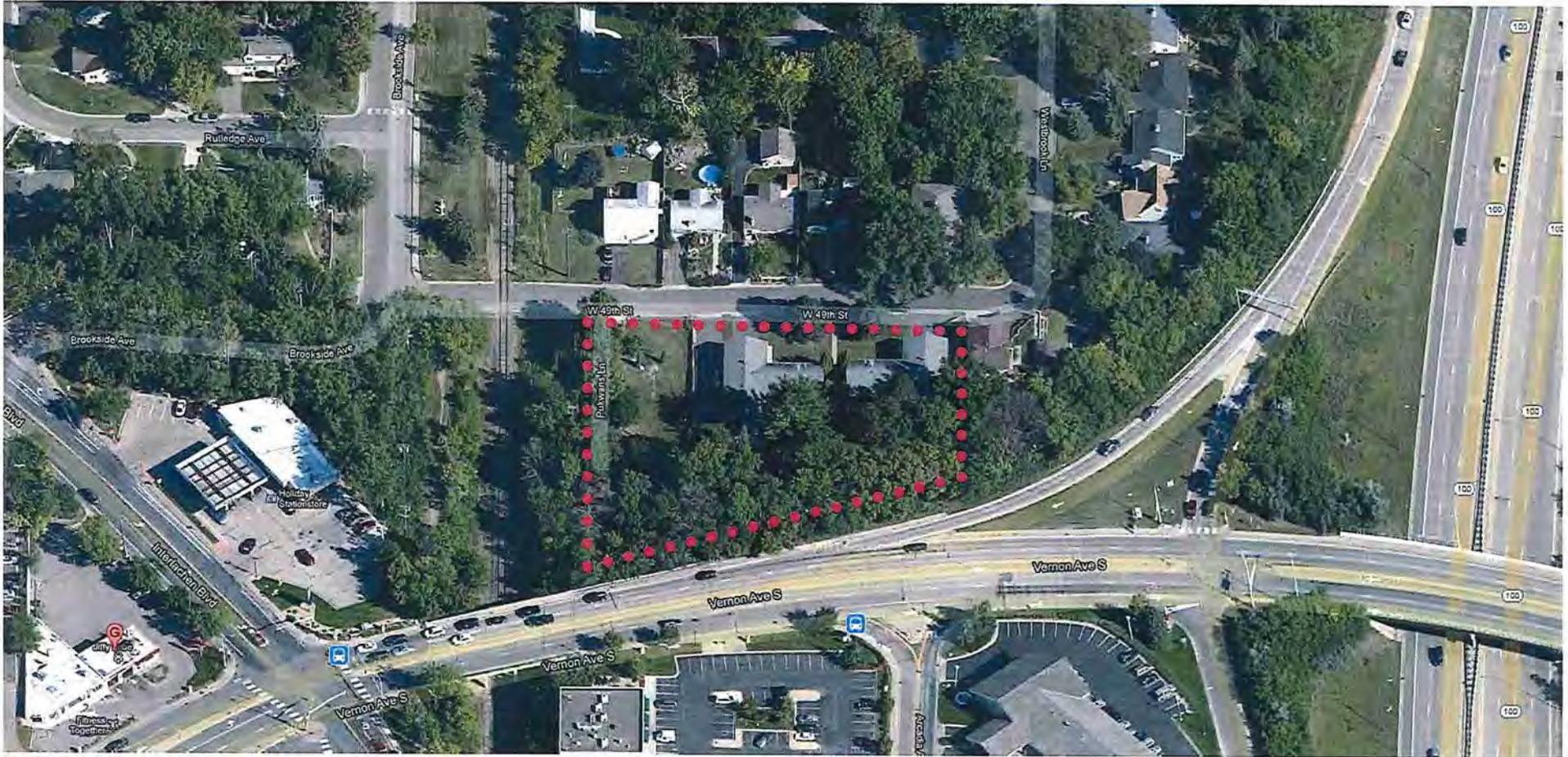
This development fits best within a PUD zoning district. The setting is appropriate for medium-density residential, as it is immediately adjacent to the Hwy. 100 off-ramp and Vernon Avenue; as well across from the proposed Grandview Heights redevelopment planned for south of Vernon, which will add density and activity to the area. The proposed townhomes will help to buffer the single family homes north across 49<sup>th</sup> from the traffic on adjacent streets and activity to the south. In these ways the proposed development is consistent with the City's Comprehensive Plan.

- iv. **the setback regulation, building coverage and floor area ratio of the most closely related conventional zoning district shall be considered presumptively appropriate, but may be departed from to accomplish the purpose and intent described in #1 above.**

The setbacks for this development were close to the required setbacks, but strict adherence to them would cause undue hardship for the full development of the site. By allowing the PUD, we are able to flex these conditions and still provide an appropriately scaled and aesthetically compatible development that accomplishes the intent of the district and adds amenities and connections as outlined previously.



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# VERNON AVENUE TOWNHOMES - EXISTING AERIAL B

02.13.2013

**BKV**  
GROUP



SPV



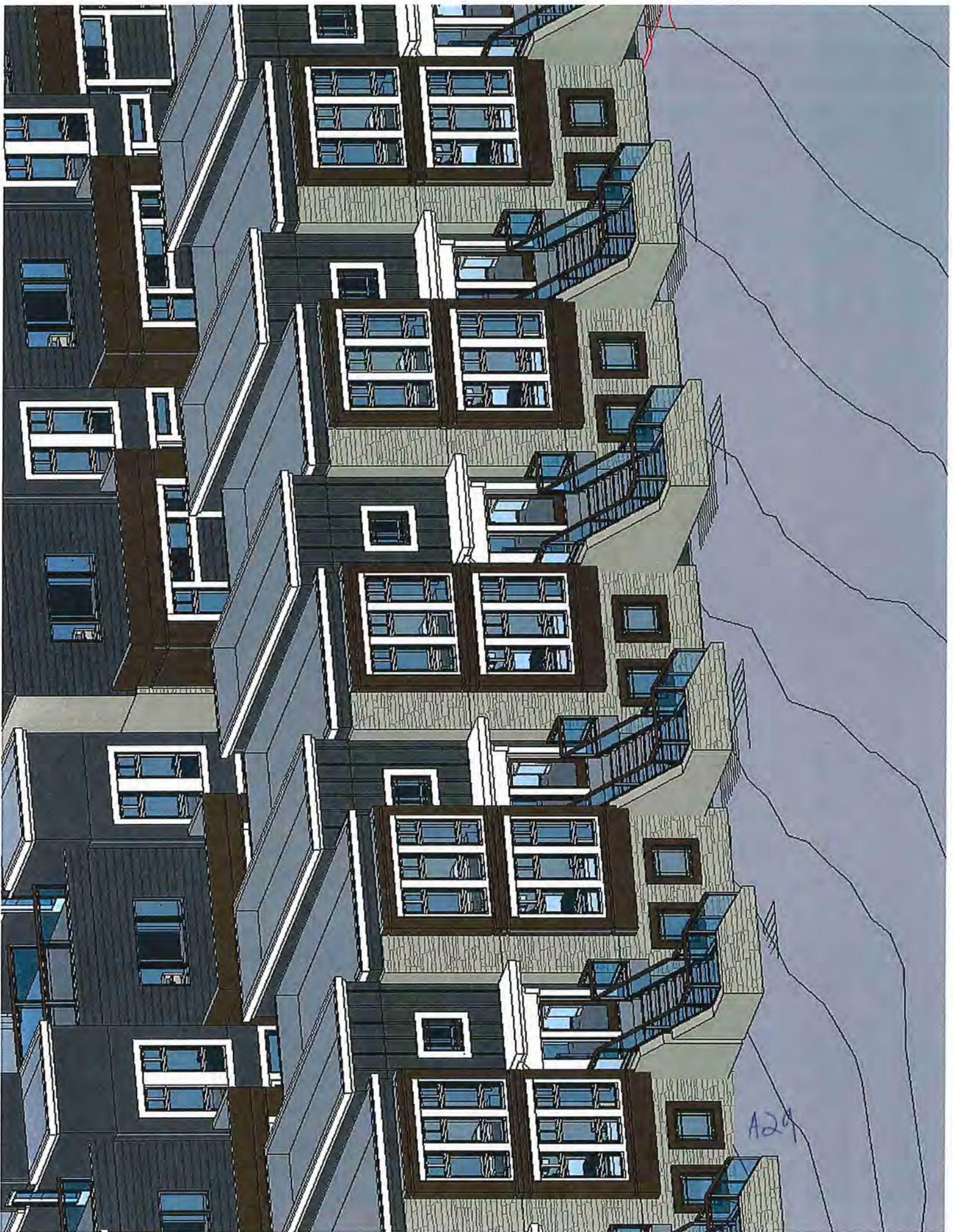


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A24



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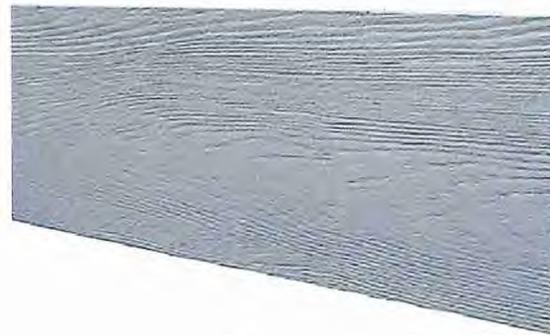


ARCHITECTURAL CAST STONE

A30



STAINED WOOD PANELS



FIBER CEMENT TRIM

# OBRIEN KIMMEL

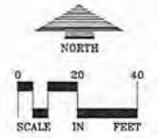
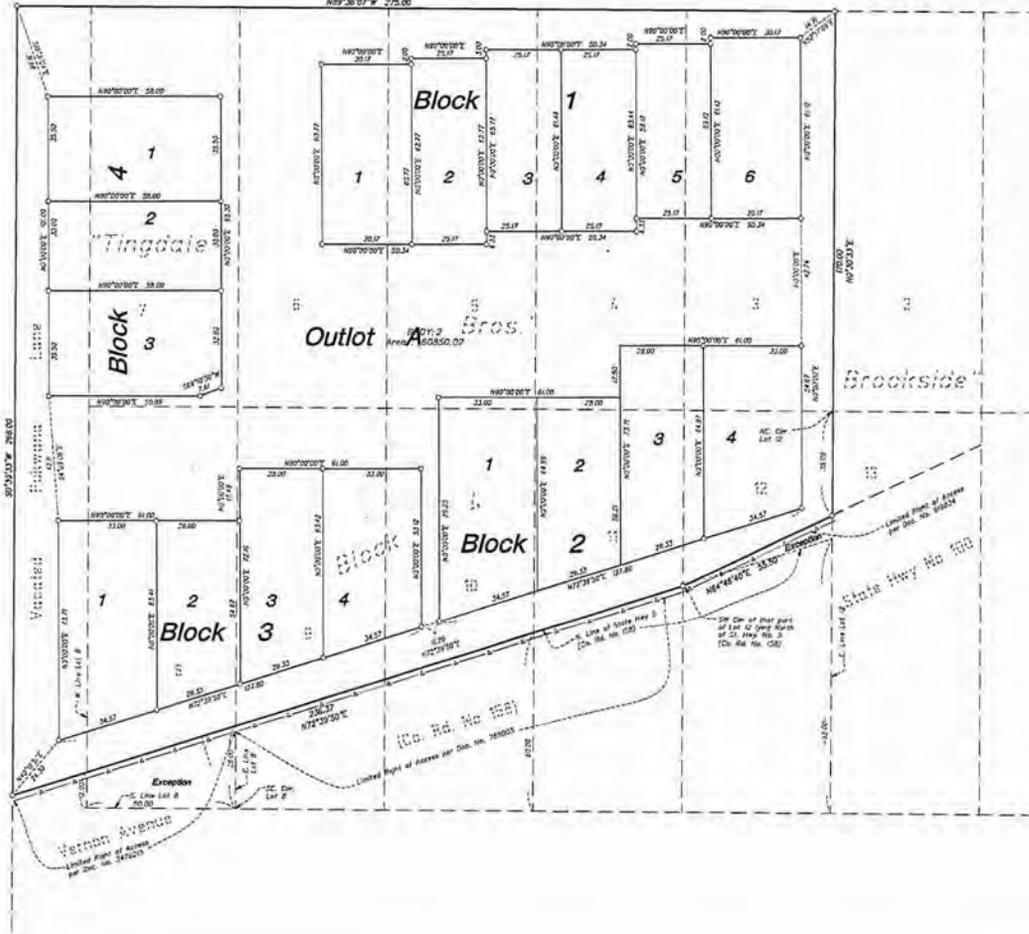
"Tingdale Bros." "Brookside"

Westbrook  
Little

R.T. DOC. No. \_\_\_\_\_  
C.R. DOC. No. \_\_\_\_\_

18TH Street West

N89°30'07"W 275.00



○ DENOTES 1/2 INCH X 1/4 INCH IRON MONUMENT SET, MARKED "6LS 25724"  
● DENOTES IRON MONUMENT FOUND  
— A — DENOTES LIMITED RIGHT OF ACCESS

THE NORTH LINE OF BLOCK 4, "TINGDALE BROS." "BROOKSIDE" IS ASSUMED TO HAVE A BEARING OF N 89°30'07"W

A32

Minneapolis Northfield and Southern Railroad

**LOUCKS ASSOCIATES**

SHEET 2 OF 2 SHEETS

# OBRIEN KIMMEL

R.T. DOC. No. \_\_\_\_\_  
C.R. DOC. No. \_\_\_\_\_

KNOW ALL PERSONS BY THESE PRESENTS: That Edina Fifty Five, LLC, a Minnesota limited liability company, fee owner, of the following described property situated in the County of Hennepin, State of Minnesota, to wit:

Lot 7 and 8, Block 4, "Tingdale Bros. Brookside", Except that part of said Lot 8 described as follows:

Beginning at a point on the East boundary of said Lot 8 distant 28 feet North of the Southeast corner thereof; thence South along said East boundary 28 feet; thence West along the South boundary of said Lot, 50 feet; thence North along the West boundary of said Lot, 12 feet; thence Northeastly to the point of beginning, including any part or portion of any street or alley adjacent to said premises vacated or to be vacated, Hennepin County, Minnesota.

Together with:

A 25.00 foot wide strip of land lying east of the Minneapolis, Northfield and Southern Railroad between West 49th Street and Vernon Avenue in Section 28, Township 117 North, Range 21 West, Hennepin County, Minnesota.

(Abstract Property)

Lot 3, 4, 5 and 6, and all that part of Lots 9, 10, 11 and 12 lying North of State Highway No. 6, Block 4, "Tingdale Bros. Brookside", Except that part of Lot 12 which lies Southeastly of the following described line: Beginning at a point on the East line of said Lot 12 distant 35 feet South of the Northeast corner thereof; thence run Southwestly to the Southwest corner of the above described Lot 12 and there terminating.

(Tortens Property)

Has caused the same to be surveyed and platted as OBRIEN KIMMEL.

In witness whereof said EDINA FIFTY FIVE, LLC has caused these presents to be signed by its proper officer this \_\_\_\_ day of \_\_\_\_\_, 201\_\_.

EDINA FIFTY FIVE, LLC

\_\_\_\_\_  
Daniel Hunt, Chief Manager

State of \_\_\_\_\_  
County of \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 201\_\_ by Daniel Hunt, Chief Manager of Edina Fifty Five, LLC, a Minnesota limited liability company, on behalf of the company.

(Signature) \_\_\_\_\_

(Printed Name) \_\_\_\_\_  
Notary Public \_\_\_\_\_ County, \_\_\_\_\_  
My Commission Expires January 31, 201\_\_

### SURVEYORS CERTIFICATION

I, Richard L. Licht, do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 805.01, Subd. 2, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this \_\_\_\_ day of \_\_\_\_\_, 201\_\_

Richard L. Licht, Licensed Land Surveyor  
Minnesota License No. 26724

State of Minnesota  
County of Hennepin

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 201\_\_ by Richard L. Licht, a Licensed Land Surveyor.

(Signature) \_\_\_\_\_

(Printed Name) \_\_\_\_\_  
Notary Public \_\_\_\_\_ County, Minnesota  
My Commission Expires January 31, 201\_\_

### EDINA, MINNESOTA

This plat of OBRIEN KIMMEL was approved and accepted by the City Council of Edina, Minnesota, at a regular meeting thereof held this \_\_\_\_ day of \_\_\_\_\_, 201\_\_. If applicable, the written comments and recommendations of the Commissioner of Transportation and the County Highway Engineer have been received by the City or the prescribed 30 day period has elapsed without receipt of such comments and recommendations, as provided by Minn. Statutes, Section 556.03, Subd. 2.

CITY COUNCIL OF EDINA, MINNESOTA

By \_\_\_\_\_ Mayor By \_\_\_\_\_ Manager

### TAXPAYER SERVICES DEPARTMENT, Hennepin County, Minnesota

I hereby certify that taxes payable in 20\_\_ and prior years have been paid for land described on this plat, dated this \_\_\_\_ day of \_\_\_\_\_, 201\_\_.

Mark V. Chaplin, Hennepin County Auditor

By \_\_\_\_\_ Deputy

### SURVEY DIVISION, Hennepin County, Minnesota

Pursuant to MIN. STAT. Sec. 320B.055 (1989) this plat has been approved this \_\_\_\_ day of \_\_\_\_\_, 201\_\_.

William P. Brown, Hennepin County Surveyor

By \_\_\_\_\_

### REGISTRAR OF TITLES, Hennepin County, Minnesota

I hereby certify that the within plat of OBRIEN KIMMEL was filed in this office this \_\_\_\_ day of \_\_\_\_\_, 201\_\_, at \_\_\_\_ o'clock \_\_\_\_ M.

Martin McCormick, Registrar of Titles

By \_\_\_\_\_ Deputy

### COUNTY RECORDER, Hennepin County, Minnesota

I hereby certify that the within plat of OBRIEN KIMMEL was recorded in this office this \_\_\_\_ day of \_\_\_\_\_, 201\_\_, at \_\_\_\_ o'clock \_\_\_\_ M.

Martin McCormick, County Recorder

By \_\_\_\_\_ Deputy

A31

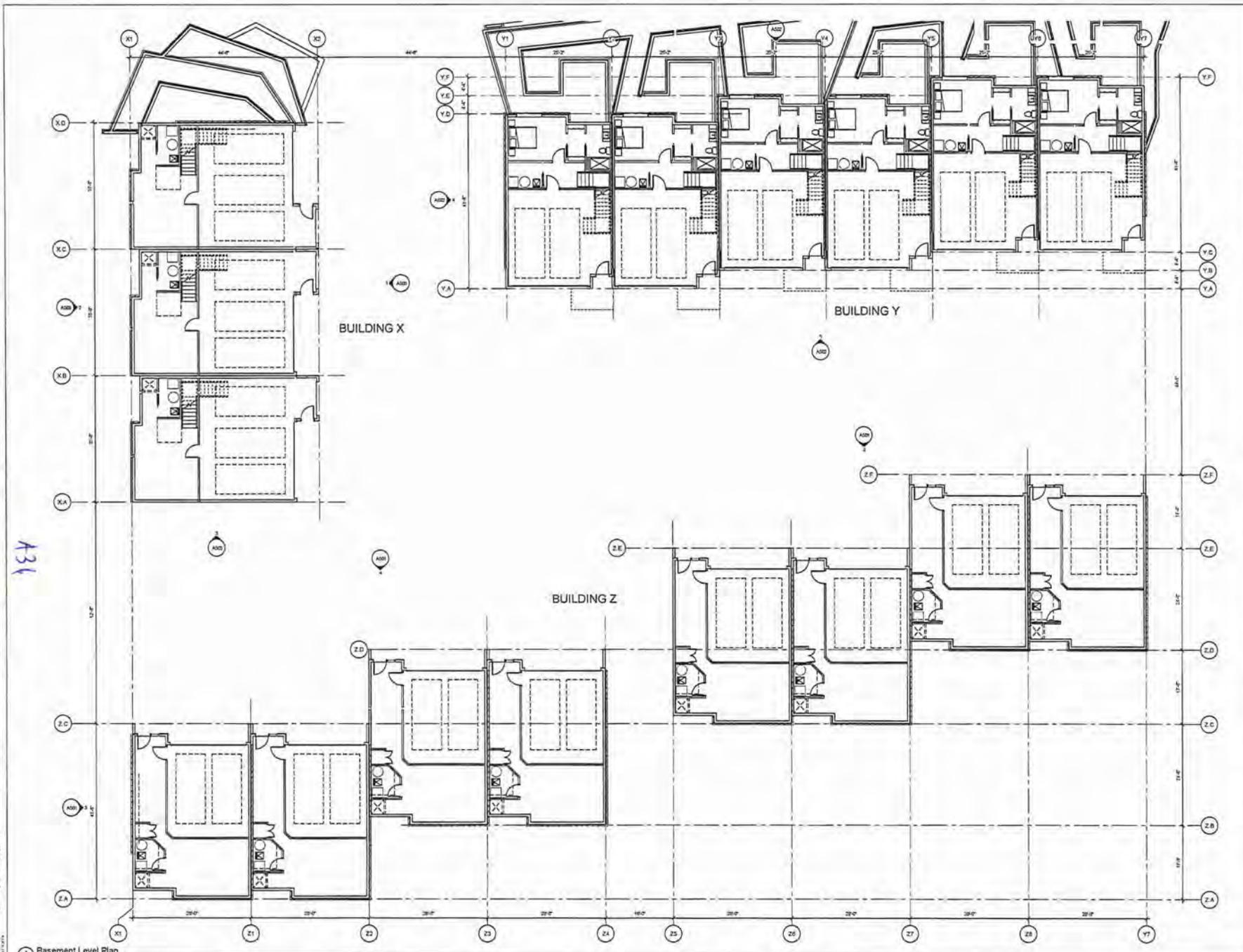






SHEET BINDING AREA - DO NOT USE

A31



**BKV**  
GROUP

Architecture  
Interior Design  
Landscape Architecture  
Engineering

**Boorman  
Kroos  
Vogel  
Group  
Inc.**

222 North Second Street  
Minneapolis, MN 55401  
Telephone: 612-339-3752  
Facsimile: 612-339-6212  
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PROJECT TITLE

Vernon Avenue  
Townhouses

KEY PLAN NORTH ARROW

CERTIFICATION:  
I hereby certify that this plan, specification  
or report was prepared by me or under my  
direct supervision and that I am a duly  
licensed Professional Engineer  
under the laws of the State of Minnesota.

DATE	01/08/11
DRAWING	Author
CHECKED BY	Checker
COMMISSIONING	10/11/11
SHEET TITLE	

DATE	01/08/11
DRAWING	Author
CHECKED BY	Checker
COMMISSIONING	10/11/11
SHEET TITLE	

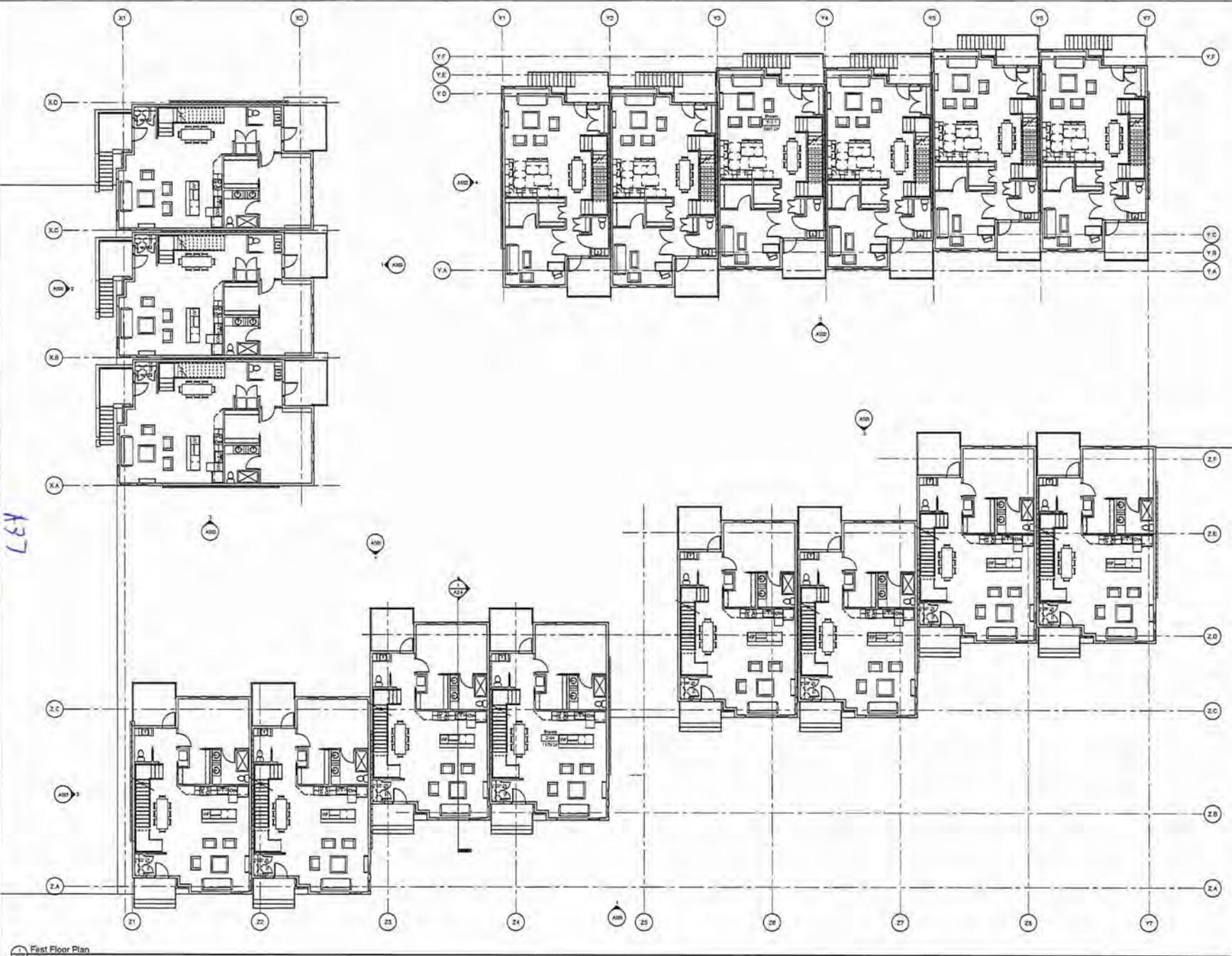
Basement Floor  
Plan

SHEET NUMBER  
**A100**

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Basement Level Plan

SHEET BINDING AREA - DO NOT USE



11 First Floor Plan

137

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PROJECT TITLE

Vernon Avenue  
Townhouses

KEY PLAN NORTH ARROW

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DATE	2/24/13
DRAWN BY	AKL
CHECKED BY	OWE
COMMISSION NO.	557413

DATE	2/24/13
DRAWN BY	AKL
CHECKED BY	OWE
COMMISSION NO.	557413

First Floor Plan

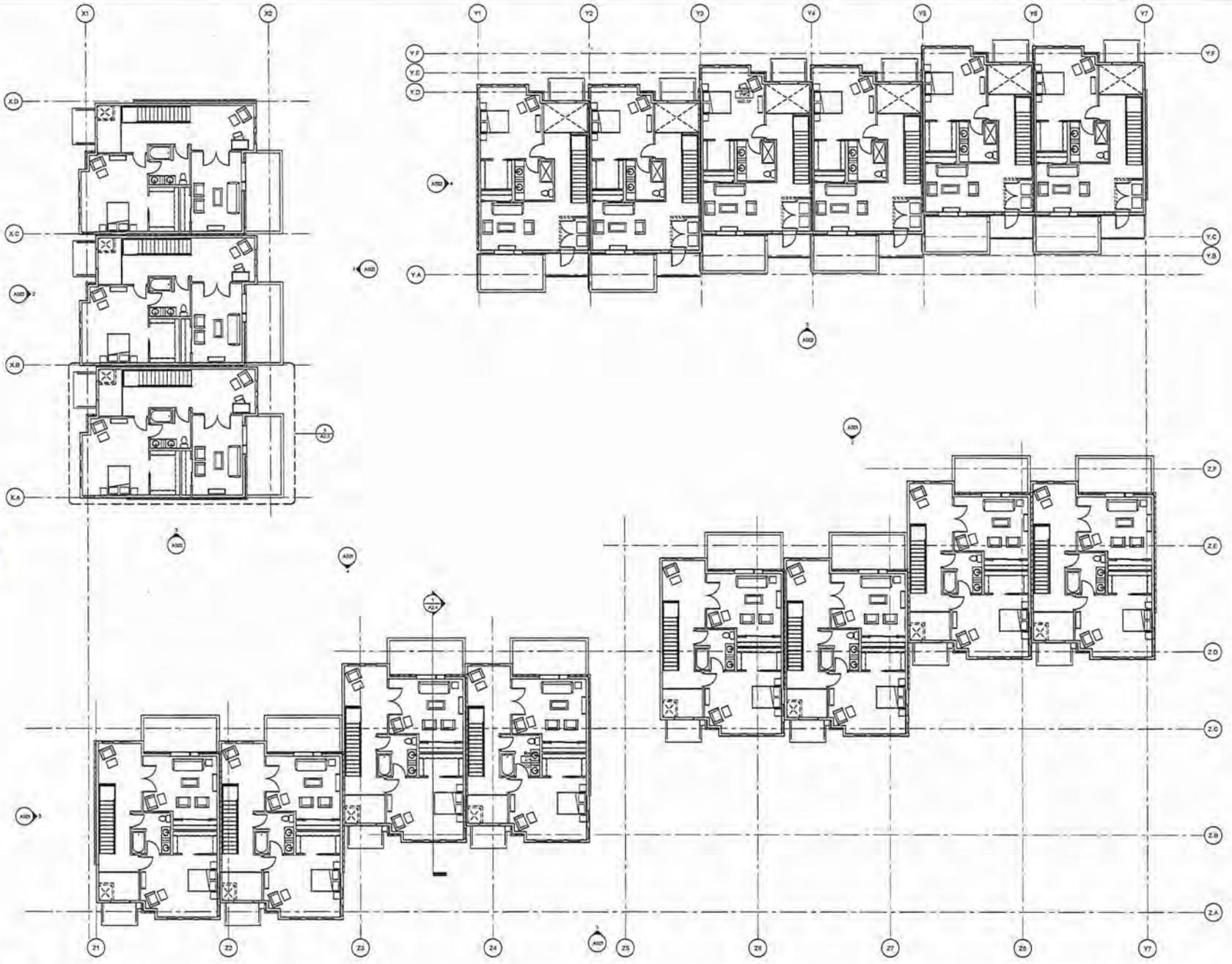
SHEET NUMBER

A101

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A34



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PROJECT TITLE  
**Vernon Avenue  
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KEY PLAN NORTH ARROW

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DATE \_\_\_\_\_

Drawn Number \_\_\_\_\_

REVISION	DATE

DATE	05-26-05
DRAWN BY	AJW
CHECKED BY	DSW
COMMISSIONING	10/4/07

SHEET TITLE

Second Floor Plan

SHEET NUMBER  
**A102**

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Second Floor Plan  
SP-102

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PROJECT TITLE  
**Vernon Avenue  
Townhouses**

KEYPLAN NORTH ARROW

CERTIFICATION  
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direct supervision and that I am a duly  
Licensed Professional  
under the laws of the State of Minnesota.

DATE	DATE
DRAWN BY	DATE
CHECKED BY	DATE
COMMISSIONING	DATE

REVISION	DATE
----------	------

Roof Plan

SHEET NUMBER  
**A103**

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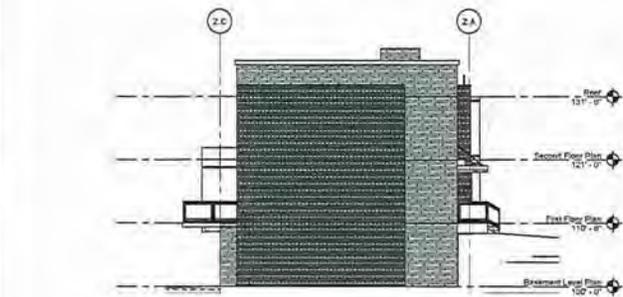
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Facsimile: 612-339-6212  
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1 South Elevation - Building Z  
1/8" = 1'-0"



2 North Elevation - Courtyard Building Z  
1/8" = 1'-0"



3 West Elevation - Building Z  
1/8" = 1'-0"

PROJECT TITLE

Vernon Avenue  
Townhouses

KEY PLAN NORTH ARROW

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DATE

DESIGNED BY

CHECKED BY

COMMISSIONING

SHEET TITLE

DATE 01-24-11

DESIGNED BY Asher

CHECKED BY Shuler

COMMISSIONING 1/24/11

SHEET TITLE

Exterior Elevations

SHEET NUMBER

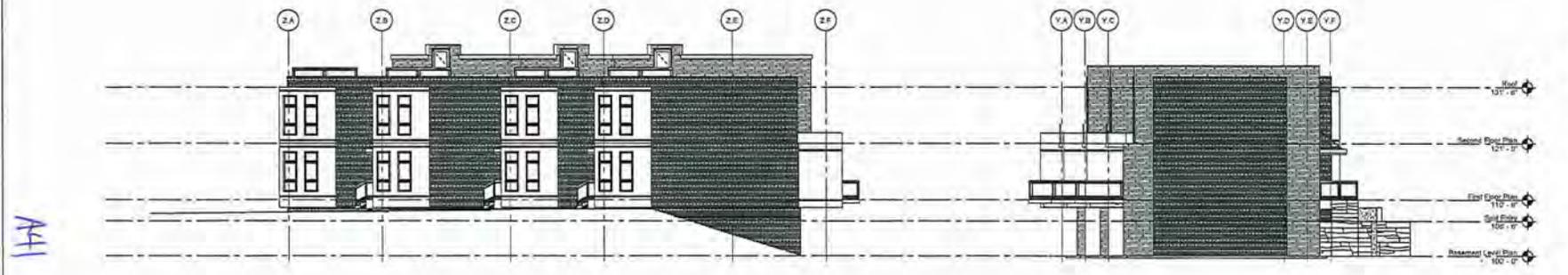
A501

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SHEET BINDING AREA - DO NOT USE



1 North Elevation - Building X & Y  
10' x 10'



2 East Elevation - Building Y & Z  
10' x 10'



3 South Elevation - Courtyard Building Y  
10' x 10'

4 West Elevation - Building Y  
10' x 10'

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PROJECT TITLE

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Townhouses

KEYPLAN NORTH ARROW

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under the laws of the State of Minnesota.

DATE	05-24-11
DESIGNED BY	AJW
CHECKED BY	Chase
COMMISSIONING	12/16/11

SHEET TITLE

Exterior Elevations

SHEET NUMBER

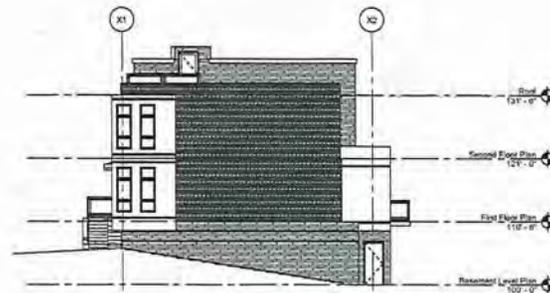
A502

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SHEET BINDING AREA - DO NOT USE



1 East Elevation - Courtyard Building X  
1/8" = 1'-0"



1 South Elevation - Building X  
1/8" = 1'-0"



1 West Elevation - Building X  
1/8" = 1'-0"

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PROJECT TITLE

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Townhouses

KEYPLAN NORTH ARROW

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direct supervision and that I am a duly  
Licensed Professional  
under the laws of the State of Minnesota.

DATE

DATE/NATION

REVISION	DATE

DATE	01-24-13
DRAWN BY	Author
CHECKED BY	Checker
COMMISSION NO.	1024.21

SHEET TITLE

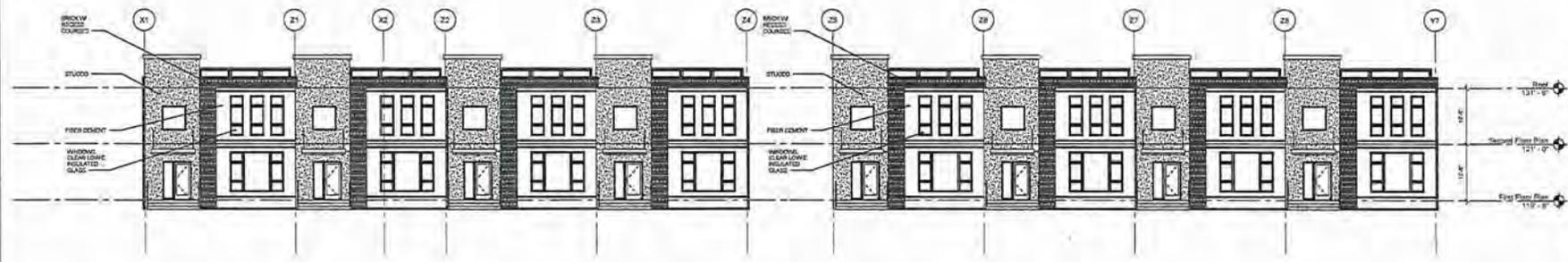
Exterior Elevations

SHEET NUMBER

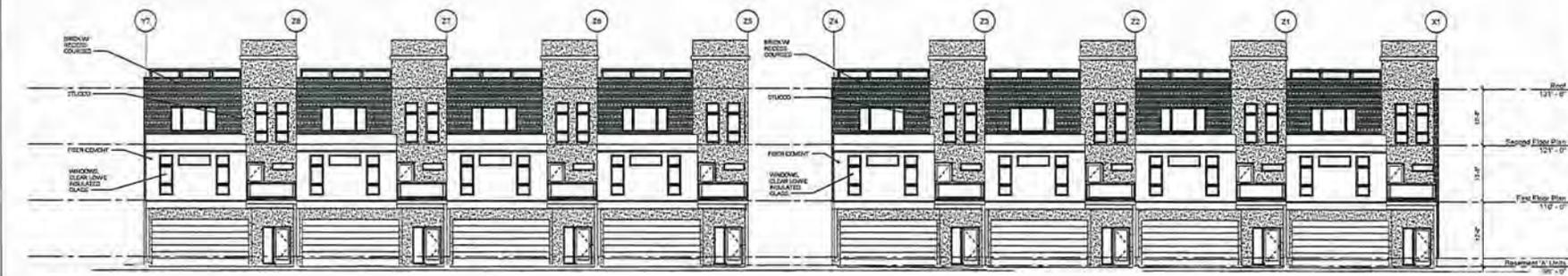
**A503**

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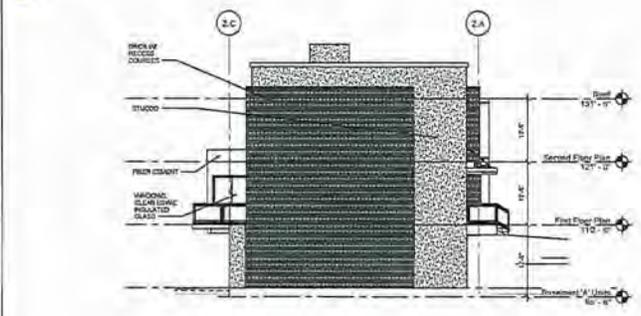
SHEET BINDING AREA - DO NOT USE



1 South Elevation - Building Z  
10'-0" = 1"



2 North Elevation - Courtyard Building Z  
10'-0" = 1"



3 West Elevation - Building Z  
10'-0" = 1"

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PROJECT TITLE

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KEY PLAN NORTH ARROW

CERTIFICATION  
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DATE	10-26-11
DESIGNED BY	Adler
DRAWN BY	Chen
COMMISSIONING	10/26/11
SHEET TITLE	

DATE	10-26-11
DESIGNED BY	Adler
DRAWN BY	Chen
COMMISSIONING	10/26/11
SHEET TITLE	

Exterior Elevations

SHEET NUMBER

A501

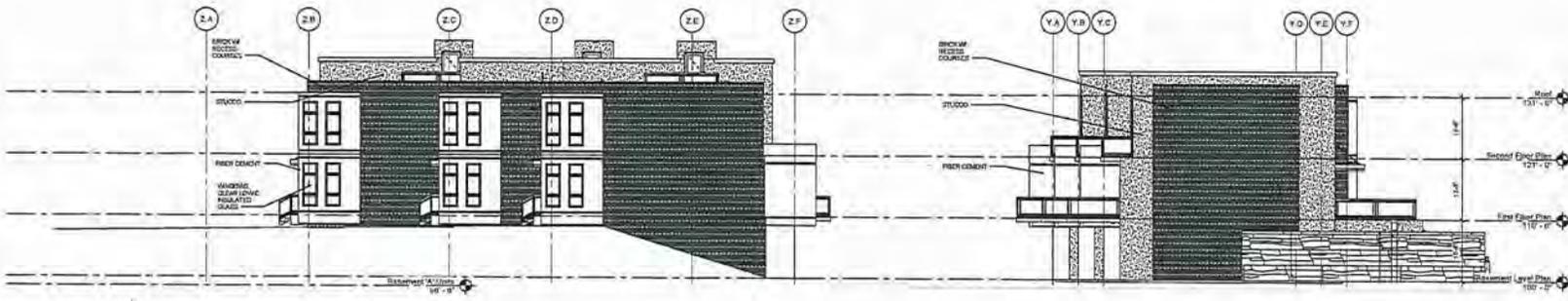
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A43

SHEET BINDING AREA - DO NOT USE



1 North Elevation - Building X & Y  
10'-11"



2 East Elevation - Building Y & Z  
10'-11"



3 South Elevation - Courtyard Building Y  
10'-11"

4 West Elevation - Building Y  
10'-11"

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PROJECT TITLE

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under the laws of the State of Minnesota.

REV	DATE

DATE	BY
01-20-13	AKH

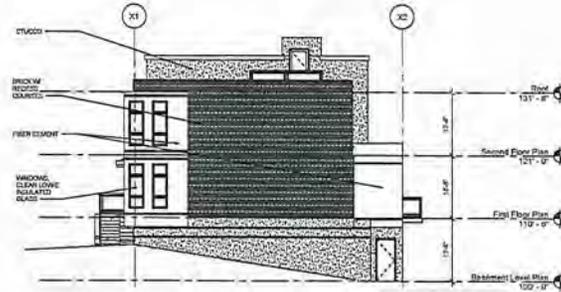
Exterior Elevations

SHEET NUMBER  
**A502**

SHEET BINDING AREA - DO NOT USE



1 East Elevation - Courtyard Building X  
1/8" = 1'-0"



2 South Elevation - Building X  
1/8" = 1'-0"



3 West Elevation - Building X  
1/8" = 1'-0"

A45

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Date

Design Number

REVISION	DATE

DATE	01/26/11
DRAWN BY	Adrian
CHECKED BY	Onelia
COMMISSIONING	12/1/11

SHEET TITLE

Exterior Elevations

SHEET NUMBER

A503

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