

REPORT / RECOMMENDATION



To: MAYOR AND COUNCIL

Agenda Item #: VI.A.

From: Cary Teague, Community Development Director

Action

Discussion

Information

Date: June 2, 2015

Subject: PUBLIC HEARING – Final Rezoning from POD-2, to PUD, and Final Development Plan, Frauenshuh Companies; 7700 France Avenue. Res. No. 2015-54, and Ordinance No. 2015-8.

Action Requested:

Staff and Planning Commission Recommendation:

Adopt Resolution No. 2015-54 & Ordinance No. 2015-8 approving the Final Rezoning to PUD, Planned Unit Development, and the Final Development Plan.

Information/Background:

(Deadline for a City Council Decision – August 16, 2015)

Frauenshuh Companies is proposing to develop the northeast corner of 7700 France with a free standing, 7,000 square foot seafood restaurant. The site is 17 acres in size and contains a six-story 275,000 square foot office building and a 7,623 square foot single-story office building (bank) in the southeast corner of the site.

The restaurant would be designed for seating up to 242 people, and would provide 63 dedicated parking spaces in addition to the shared parking with the office building. The proposed building would be made of brick, EIFS, cedar, glass and metal panels. An area for outdoor dining is proposed along France Avenue. (See applicant narrative and plans on pages A4-A19 in the attached Planning Commission staff report.)

The applicant received Preliminary approval of the project in October of 2014. The proposed plans are consistent with the Preliminary approval. (See approved Preliminary plans on pages A7–A9 in the Planning Commission staff report.)

The primary issue with this request is that a free-standing restaurant is not a permitted use in the POD-2 zoning district. A restaurant is a permitted accessory use within an office building. The applicant went through the sketch plan process with this request in 2012. Both the Planning Commission and City Council suggested that PUD rezoning was the best way to approach the use on the site. (See attached Planning Commission and City Council minutes on pages A20- A24 in the planning commission packet.)

To accommodate the request, the following is requested:

- Final Rezoning from POD-2, Planned Office District to PUD, Planned Unit Development; and
- Final Development Plan.

ATTACHMENTS:

- Resolution No. 2015-54 & Ordinance 2015-8
- Planning Commission minutes, May 13, 2015
- Planning Commission staff report dated May 13, 2015



RESOLUTION NO. 2015-54
FINAL REZONING FROM POD-2, PLANNED OFFICE DISTRICT-2, TO PUD,
PLANNED UNIT DEVELOPMAND AND FINAL DEVELOPMENT PLAN
FOR 7700 FRANCE AVENUE

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

Section 1. BACKGROUND.

- 1.01 Frauenshuh Companies is proposing to develop the northeast corner of 7700 France with a free standing, 7,700 square foot seafood restaurant. The site is 17 acres in size and contains a six-story 275,000 square foot office building and a 7,623 square foot single-story office building (bank) in the southeast corner of the site.
- 1.02 The property is legally described as follows:
- Lot 2, Block 1, Edina Office Center, Hennepin County Minnesota
- 1.03 To accommodate the request, the following land use applications are requested:
1. Final Rezoning from POD-2, Planned Office District-2, to PUD, Planned Unit Development; and
 2. Final Development Plan.
- 1.04 On May 13, 2015, the Planning Commission recommended approval of the Final Rezoning and Final Development Plan. Vote: 9 Ayes and 0 Nays.

Section 2. FINDINGS

- 2.01 Approval is based on the following findings:
1. The project would introduce a use that would fit into the area, and provide a service for local employees and nearby residents.
 2. With adequate pedestrian connections and facilities, the project would create a pedestrian friendly development which would encourage walking in the district.
 3. The PUD would ensure that the building proposed would be the only building built on the site, unless an amendment to the PUD is approved by City Council.
 4. The existing roadways would support the project. Wenck 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. Movement Patterns.
 - Provide sidewalks along primary streets and connections to adjacent neighborhoods along secondary streets or walkways.
 - A Pedestrian-Friendly Environment.
 - b. Encourage infill/redevelopment opportunities that optimize use of city infrastructure and that complement area, neighborhood, and/or corridor context and character.
 - c. Support and enhance commercial areas that serve the neighborhoods, the city, and the larger region.
 - d. Increase mixed use development where supported by adequate infrastructure to minimize traffic congestion, support transit, and diversify the tax base.
 - e. Increase pedestrian and bicycling opportunities and connections between neighborhoods, and with other communities, to improve transportation infrastructure and reduce dependence on the car.
 - f. Buildings should be placed in appropriate proximity to streets to create pedestrian scale. Buildings "step down" at boundaries with lower-density districts and upper stories "step back" from the street.

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 and Preliminary Development Plan subject to the following conditions:

1. Subject to staff approval, the site must be developed and maintained in substantial conformance with the following plans, unless modified by the conditions below:
 - Site plan date stamped April 21, 2015.
 - Grading plan date stamped April 21, 2015.
 - Landscaping plan date stamped April 21, 2015.
 - Building elevations date stamped April 16, 2015
 - Building materials board as presented at the Planning Commission and City Council meeting.
2. The property owner is responsible for replacing any required landscaping that dies
3. The applicant shall construct a boulevard style sidewalk along France and sidewalk connections from the existing building to the restaurant and from the boulevard sidewalk to the building.

4. The Final Lighting Plan must meet all minimum landscaping requirements per Section 850.04 of the Zoning Ordinance.
5. The Final Lighting Plan must meet all minimum requirements per Section 36-1260 of the City Code.
6. Submit a copy of the Nine Mile Creek Watershed District permit. The City may require revisions to the approved plans to meet the district's requirements.
7. Compliance with all of the conditions outlined in the director of engineering's memo dated May 8, 2015.
8. Final Rezoning is subject to a Zoning Ordinance Amendment creating the PUD, Planned Unit Development for this site.

Adopted by the city council of the City of Edina, Minnesota, on June 2, 2015.

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 June 2, 2015, and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this ____ day of _____, 2015.

City Clerk

ORDINANCE NO. 2015-8

**AN ORDINANCE AMENDING THE ZONING ORDINANCE
TO ESTABLISH THE PUD-8, PLANNED UNIT DEVELOPMENT-8
DISTRICT AT 7700 FRANCE AVENUE**

The City Of Edina Ordains:

Section 1. Chapter 36, Article VIII, Division 4 is hereby amended to rezone the below described property to PUD, Planned Unit Development in accordance with the following:

Sec. 36-494 Planned Unit Development District-8 (PUD-8) – 7700 France

(a) *Legal description:*

Lot 2, Block 1, Edina Office Center

(b) **Approved Plans.** Incorporated herein by reference are the re-development plans received by the City on April 16 and 21, 2015 except as amended by City Council Resolution No. 2015-54, on file in the Office of the Planning Department.

(c) **Principal Uses:**

All uses allowed in the POD-2 Zoning District

A free-standing restaurant.

(d) **Accessory Uses:**

All accessory uses allowed in the POD-2 Zoning District.

(e) **Conditional Uses:**

All conditional uses allowed in the POD-2 Zoning District.

(f) **Development Standards.** Development standards per the POD-2 Zoning District.

(g) **Signs** shall be regulated per the POD-2 Zoning District.

Section 3. This ordinance is effective immediately.

First Reading:

Second Reading:

Published:

ATTEST:

Debra A. Mangen, City Clerk

James B. Hovland, Mayor

Please publish in the Edina Sun Current on:

Send two affidavits of publication.

Bill to Edina City Clerk

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 Ordinance was duly adopted by the Edina City Council at its Regular Meeting of _____, 2015, and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this _____ day of _____, 2015.

City Clerk

stated she does agree the request is rationale; however, it doesn't meet code. Commissioners Hobbs and Lee agreed with Commissioner Forrest's comments.

Chair Platteter stated he supports the request as submitted. He added in his opinion two homes on two lots are more in character with the neighborhood than one home on one 100-foot lot. He also noted as previously mentioned that variances for corner lots are routinely requested and approved by the Commission. Chair Platteter asked if the request was reversed and a property owner was required to request combining two 50-foot lots into one 100-foot lot would the Commission be supportive; Platteter further noted that presently the "combination" of two originally platted 50-foot lots into one does not require any City action.

Commissioner Carr stated as she previously indicated she supports the request to subdivide 5945 Concord Avenue into two lots. She pointed out findings for approval would need to be drafted since City staff does not support the applicants' request. Carr said findings could include the underlying Fairfax plat with conditions subject to Watershed District approval, curb cut permits, and variances for the corner lot. A brief discussion continued on Findings.

Motion

Commissioner Olsen moved to deny the request to subdivide 5945 Concord Avenue based on staff findings. Commissioner Hobbs seconded the motion. Ayes; Hobbs, Lee, Olsen, Nemerov, Forrest. Nay; Strauss, Thorsen, Carr, Platteter. Motion carried 5-4.

D. Final Rezoning. Frauenshuh Companies. 7700 France Ave., Edina, MN

Staff Presentation

Planner Teague informed the Commission Frauenshuh Companies is proposing to develop the northeast corner of 7700 France with a free standing, 7,700 square foot seafood restaurant. The site is 17 acres in size and contains a six-story 275,000 square foot office building and a 7,623 square foot single-story office building (bank) in the southeast corner of the site.

Teague explained that the restaurant would be designed for seating up to 242 people, and would provide 63 dedicated parking spaces in addition to the shared parking with the office building. The proposed building would be made of brick, stucco, plank siding, cedar, glass and metal panels. An area for outdoor dining is proposed along France Avenue. The applicant received Preliminary approval of the project in October of 2014. The proposed plans are consistent with the preliminary approval and now require final rezoning and final development plan approval.

Planner Teague concluded that staff recommends that the City Council approve the Final Rezoning from POD-2, Planned Office District to PUD, Planned Unit Development District and

P.O.
5/13/15

Preliminary Development Plan to build a free standing 7,700 square foot, seafood restaurant at the northeast corner of 7700 France Avenue subject to the following findings:

1. The project would introduce a use that would fit into the area, and provide a service for local employees and nearby residents.
2. With adequate pedestrian connections and facilities, the project would create a pedestrian friendly development which would encourage walking in the district.
3. The PUD would ensure that the building proposed would be the only building built on the site, unless an amendment to the PUD is approved by City Council.
4. The existing roadways would support the project. Wenck 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. Movement Patterns.
 - Provide sidewalks along primary streets and connections to adjacent neighborhoods along secondary streets or walkways. A Pedestrian-Friendly Environment.
 - b. Encourage infill/redevelopment opportunities that optimize use of city infrastructure and that complement area, neighborhood, and/or corridor context and character.
 - c. Support and enhance commercial areas that serve the neighborhoods, the city, and the larger region.
 - d. Increase mixed use development where supported by adequate infrastructure to minimize traffic congestion, support transit, and diversify the tax base.
 - e. Increase pedestrian and bicycling opportunities and connections between neighborhoods, and with other communities, to improve transportation infrastructure and reduce dependence on the car.
 - f. Buildings should be placed in appropriate proximity to streets to create pedestrian scale. Buildings "step down" at boundaries with lower-density districts and upper stories "step back" from street.

Final approval is also subject to the following Conditions:

1. Subject to staff approval, the site must be developed and maintained in substantial conformance with the following plans, unless modified by the conditions below:
 - Site plan date stamped April 21, 2015.
 - Grading plan date stamped April 21, 2015.
 - Landscaping plan date stamped April 21, 2015.
 - Building elevations date stamped April 16, 2015
 - Building materials board as presented at the Planning Commission and City Council meeting.
2. The property owner is responsible for replacing any required landscaping that dies

3. The applicant shall construct a boulevard style sidewalk along France and sidewalk connections from the existing building to the restaurant and from the boulevard sidewalk to the building.
4. The Final Lighting Plan must meet all minimum landscaping requirements per Section 850.04 of the Zoning Ordinance.
5. The Final Lighting Plan must meet all minimum requirements per Section 36-1260 of the City Code.
6. Submit a copy of the Nine Mile Creek Watershed District permit. The City may require revisions to the approved plans to meet the district's requirements.
7. Compliance with all of the conditions outlined in the director of engineering's memo dated May 8, 2015.
8. Final Rezoning is subject to a Zoning Ordinance Amendment creating the PUD, Planned Unit Development for this site.

Recommend the City Council adopt the Ordinance Amendment to establish the PUD-8, Planned Unit Ddvelopment-8 District at 7700 France Avenue.

Appearing for the Applicant

Steve Fabre, Enterprise and Allan Ackerberg, Parasole Restaurant Holdings

Discussion

Chair Platteter asked if the bus stop would remain and if the property remains one property. Planner Teague responded in the affirmative to both.

Applicant Presentation

Mr. Fabre addressed the Commission and pointed out the minor changes that were made to the building and site since preliminary approval; including enhanced landscaping and the SE corner was curved. Fabre stated exterior building materials were changed to include cedar trellis, plank siding and belden brick. Floor to ceiling windows facing France Avenue would also be added. Continuing, Fabre noted the bar area was downsized and the loading dock area is more of a utility van area. Fabre shared with Commissioners the exterior materials board. Mr. Fabre thanked the Commission and asked for their support.

Discussion

Commissioner Olsen stated she agrees that the Commission would like to see an active building front. Olsen said she was a little disappointed with the buildings interaction with the street and asked Mr. Fabre how pedestrians access the patio area. Mr. Fabre explained that because of the constraints with liquor license requirements access to the patio is through the building. No exterior access is allowed.

Commissioner Lee commented that she too was a bit disappointed with the connectivity to the sidewalk; however, thought a good job was done on enhancing the landscaping and she could support final rezoning and development plan.

Mr. Ackerberg told the Commissioners he too would like better pedestrian access to the patio; however, liquor license restrictions prevents it and it is difficult to control seating order.

Chair Platteter said he supports the project; adding in his opinion it's a great project. Platteter said the Commission viewed this in a "small scale"; however, as redevelopment occurs in the area the Commission may need to think about how these small redevelopments fit into the rest of the area and bigger picture. Platteter noted it appears throughout Edina and the greater Southdale area infills are occurring.

Commissioner Carr stated she supports the project; however, was a little hesitant with the exterior materials.

Commissioner Forrest also indicated her support for the project. She said in her opinion the SE corner may need enhancement to keep the public engaged.

A discussion ensued on the importance of creating an active streetscape and developing an inviting pedestrian experience. There was some discussion on the location of the door; however, Commissioners acknowledged the challenge with door placement when the majority of visitors come by car. All in all, Commissioners agreed it was a nice project.

Public Hearing

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

Motion

Commissioner Carr moved to recommend final rezoning and final development plan approval based on staff findings and subject to staff conditions; with the additional comment that the applicant do everything to help encourage engagement with the street. Commissioner Hobbs seconded the motion. All voted aye; motion carried. 9-0.



PLANNING COMMISSION STAFF REPORT

Originator Cary Teague Community Development Director	Meeting Date May 13, 2015	Agenda # VI.D.
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INFORMATION/BACKGROUND

Project Description

Frauenshuh Companies is proposing to develop the northeast corner of 7700 France with a free standing, 7,700 square foot seafood restaurant. (See property location on pages A1–A3.) The site is 17 acres in size and contains a six-story 275,000 square foot office building and a 7,623 square foot single-story office building (bank) in the southeast corner of the site.

The restaurant would be designed for seating up to 242 people, and would provide 63 dedicated parking spaces in addition to the shared parking with the office building. The proposed building would be made of brick, stucco, plank siding, cedar, glass and metal panels. An area for outdoor dining is proposed along France Avenue. (See applicant narrative and plans on pages A4-A19.)

The applicant received Preliminary approval of the project in October of 2014. The proposed plans are consistent with the Preliminary approval. (See approved Preliminary plans on pages A7–A9.)

The primary issue with this request was that a free-standing restaurant is not a permitted use in the POD-2 zoning district. A restaurant is a permitted accessory use within an office building. The applicant went through the sketch plan process with this request in 2012. Both the Planning Commission and City Council suggested that PUD rezoning was the best way to approach the use on the site. (See attached Planning Commission and City Council minutes on pages A20-A24.)

To accommodate the request, the following is requested:

- Final Rezoning from POD-2, Planned Office District to PUD, Planned Unit Development; and
- Final Development Plan.

SUPPORTING INFORMATION

Surrounding Land Uses

- Northerly: Nash Finch Office building; zoned POD-1, Planned Commercial District and guided Office Residential.
- Easterly: Centennial Lakes Office Park; zoned MDD-6 Mixed Development District and guided for Office Residential.
- Southerly: Frauenshuh Office tower located in the City of Bloomington.
- Westerly: Office Building; zoned PID, Planned Industrial District and guided Office Residential.

Existing Site Features

The subject property is 17 acres in size, is relatively flat and contains a multi-story office building. The site has a very large parking field that is under-utilized. Excess parking stalls are rented to a nearby car dealership for storage of new vehicles.

Planning

Guide Plan designation: OR – Office Residential
Zoning: POD-2, Planned Office District - 2

Site Circulation & Traffic

There are no new access points proposed. The existing right in and right out off of France Avenue would be primary entrance for those coming from the north. Access from the south and west would be from 77th Street. (See page A15.) Wenck Associates Inc. conducted a traffic study and concluded that the existing roads could support the project. No improvements would be necessary. (See page A47 of the traffic study.)

The applicant has added the sidewalk connections as recommended by the Planning Commission during the preliminary review. (See page A9 and A53.)

Sec. 36-1274. Sidewalks, trails and bicycle facilities.

- (a) In order to promote and provide safe and effective sidewalks and trails in the city and encourage the use of bicycles for recreation and transportation, the following improvements are required, as a condition of approval, on developments requiring the approval of a final development plan or the issuance of a conditional use permit pursuant to article V of this chapter:

- (1) It is the policy of the city to require the construction of sidewalks and trails wherever feasible so as to encourage pedestrian and bicycle connectivity throughout the city. Therefore, developments shall provide sidewalks and trails which adjoin the applicant's property:
 - a. In locations shown on the city's sidewalk and trail plan; and
 - b. In other locations where the council finds that the provision of such sidewalks and trails enhance public access to mass transit facilities or connections to other existing or planned sidewalks, trails or public facilities.
 - (2) Developments shall provide sidewalks between building entrances and sidewalks or trails which exist or which will be constructed pursuant to this section.
 - (3) Developments shall provide direct sidewalk and trail connections with adjoining properties where appropriate.
 - (4) Developments must provide direct sidewalk and trail connections to transit stations or transit stops adjoining the property.
 - (5) Design standards for sidewalks and trails shall be prescribed by the engineer.
 - (6) Nonresidential developments having an off-street automobile parking requirement of 20 or more spaces must provide off-street bicycle parking spaces where bicycles may be parked and secured from theft by their owners. The minimum number of bicycle parking spaces required shall be five percent of the automobile parking space requirement. The design and placement of bicycle parking spaces and bicycle racks used to secure bicycles shall be subject to the approval of the city engineer. Whenever possible, bicycle parking spaces shall be located within 50 feet of a public entrance to a principal building.
- (b) The expense of the improvements set forth in subsection (a) of this section shall be borne by the applicant.

Parking

Wenck Associates also conducted a parking study. (See the attached study on pages A44–A47.) The Study concludes that the proposed development could be supported by the existing/proposed parking provided. (See page A47.)

Based on the square footage of the existing buildings and the proposed restaurant seating capacity and 45 employees on a maximum shift, 1,245 spaces are required for the site. With the construction of the restaurant there would be 1,329 spaces on the site. The study concludes that during peak hours on the site, there is an excess of 459 parking spaces. That does not include the 391 spaces that are leased to the car dealer. If those cars were removed, there would be 850 unoccupied parking spaces during the busiest time of day.

Bike Racks

The applicant has shown (9) bicycle parking spots on the site plan, located adjacent to the sidewalk connection to the front entrance. (See page A15.)

Landscaping

Based on the perimeter of the site, the applicant is required to have 98 over story trees and a full complement of under story shrubs over the entire site. The site currently contains 160 over story trees. There would be about 12-14 trees removed in the area where the proposed building would be located. The applicant proposes 11 new over story trees, including Lindens, Honey Locust and Birch, and 15 Techny Arborvitae that were recommended in the preliminary review to provide screening to the north. (See page A13.) A full complement of understory landscaping is also proposed around the building.

Loading Dock/Trash Enclosures

Loading and trash pick-up for the restaurant would be at the rear of the building in the northwest corner. (See page A15.) Trash would be collected within the building and the garbage truck would pick up in the loading area. This loading area would be screened from the property to the north by the Techny Arborvitae. (See page A13.)

Grading/Drainage/Utilities

The city engineer has reviewed the proposed plans and found them to be acceptable subject to the comments and conditions outlined on the attached page A56. Any approvals should be conditioned on the conditions outline in the director of engineering's memo dated May 8, 2015.

Building/Building Material

The building would be constructed of brick, stucco, plank siding, cedar, glass and metal panels. (See renderings on page A10.) A materials board will be presented at the Planning Commission and City Council meetings.

Signage

The underlying zoning of the property would be POD-2. Commercial signage similar in size would be the regulations of the PCD-2, Planned Commercial District-2, therefore, would be subject to signage requirements of that zoning district. Staff has incorporated the PCD-2 Zoning District signage regulations in the PUD Ordinance.

Planned Unit Development (PUD)

Section 36-253 of the Edina City Code 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.*

At the time of the sketch plan review and preliminary rezoning, both the Planning Commission and City Council suggested that a PUD would be an appropriate zoning classification to allow the proposed use, rather than amending the Ordinance, or rezoning the site for commercial use. (See minutes on pages A20-A24.) The purpose of the PUD would be to create a development pattern consistent with the Comprehensive Plan. Limited retail and service is a described land use allowed in the OR, Office Residential district in the Comprehensive Plan. The proposed restaurant would provide a commercial or service use that would enhance this office zoning district, and provide another fine dining alternative for Edina residents. A free standing restaurant is not an allowed use in the existing zoning district. The applicant is proposing a boulevard style sidewalk along France with a connection to the building and the existing building.

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, a restaurant would be an allowed use in the OR, Office Residential area, as described in the Comprehensive Plan. Through a PUD, the proposed use would be allowed.

- 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 as “Office Residential – OR,” which encourages the mixing of land uses and limited retail and service uses.

- 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;***

Again, the proposal is for a mixture of land uses, and introduces a mixture of land uses including a free standing restaurant to serve the existing offices in the area.

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

Given the size of the existing parcel, the site could be considered underdeveloped. Nearly half of the property is taken up by parking spaces that are not needed for the existing office building.

- 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 shows a compliance table demonstrating how the proposed new building would comply with the underlying POD-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. The applicant is not looking for relief from the POD-2 standards; rather, they are looking for a use that would not be otherwise allowed in the POD-2 District.

Compliance Table

	City Standard (POD-2)	Proposed
<u>Building Setbacks 10-story building</u>		
Front – France	35 feet	35 feet
Side - North	20 feet	30 feet
Side – South	20 feet	200+ feet
Rear – West	20 feet	200+ feet
Building Height	4 Stories or 48 feet whichever is less	One story 20 feet tall
Building Coverage	30%	15%
Maximum Floor Area Ratio (FAR)	.50 of the tract Tract size = 17 acres or 740,520 s.f.	.44 of the tract Gross s.f. = 326,623 s.f.
Parking Stalls (Site)	1,245 spaces office + restaurant	1,329 spaces
Parking Stall Size	8.5' x 18'	8.5 x 18'
Drive Aisle Width	24 feet	24 feet

PRIMARY ISSUES/STAFF RECOMMENDATION

Primary Issues

- **Are the proposed Final Plans consistent with the approved Preliminary Plan and is the PUD appropriate?**

Yes. The proposed plans are consistent with the preliminary approval and the conditions of approval. As determined at Preliminary approval, the PUD is appropriate for the site for the following reasons:

1. As found during preliminary review, the proposal meets the City's criteria for PUD zoning. In summary the PUD zoning would:
 - a. Provide a mixture of use within the area/site by allowing a free standing restaurant to be located on the subject site.
 - b. Create a pedestrian friendly development with the construction of the boulevard style sidewalk along France Avenue and connections to the existing and proposed buildings.

2. The proposed uses would fit in to the neighborhood. As mentioned, this site is guided in the OR, Office Residential which encourages limited retail and services uses and a mix of land uses.
3. The existing roadways would support the project. Wenck Associates conducted a traffic impact study, and concluded that the proposed development could be supported by the existing roads. (See traffic study on pages A25–A47.)
4. The proposed project would meet the following goals and policies of the Comprehensive Plan:
 - a. Movement Patterns.
 - Provide sidewalks along primary streets and connections to adjacent neighborhoods along secondary streets or walkways.
 - A Pedestrian-Friendly Environment.
 - b. Encourage infill/redevelopment opportunities that optimize use of city infrastructure and that complement area, neighborhood, and/or corridor context and character.
 - c. Support and enhance commercial areas that serve the neighborhoods, the city, and the larger region.
 - d. Increase mixed use development where supported by adequate infrastructure to minimize traffic congestion, support transit, and diversify the tax base.
 - e. Increase pedestrian and bicycling opportunities and connections between neighborhoods, and with other communities, to improve transportation infrastructure and reduce dependence on the car.
 - f. Buildings should be placed in appropriate proximity to streets to create pedestrian scale. Buildings “step down” at boundaries with lower-density districts and upper stories “step back” from street.

Staff Recommendation

Final Rezoning to PUD & Final Development Plan

Recommend that the City Council approve the Final Rezoning from POD-2, Planned Office District to PUD, Planned Unit Development District and Preliminary Development Plan to build a free standing 7,700 square foot, seafood restaurant at the northeast corner of 7700 France Avenue.

Approval is subject to the following findings:

1. The project would introduce a use that would fit into the area, and provide a service for local employees and nearby residents.
2. With adequate pedestrian connections and facilities, the project would create a pedestrian friendly development which would encourage walking in the district.
3. The PUD would ensure that the building proposed would be the only building built on the site, unless an amendment to the PUD is approved by City Council.
4. The existing roadways would support the project. Wenck 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. Movement Patterns.
 - Provide sidewalks along primary streets and connections to adjacent neighborhoods along secondary streets or walkways.
 - A Pedestrian-Friendly Environment.
 - b. Encourage infill/redevelopment opportunities that optimize use of city infrastructure and that complement area, neighborhood, and/or corridor context and character.
 - c. Support and enhance commercial areas that serve the neighborhoods, the city, and the larger region.
 - d. Increase mixed use development where supported by adequate infrastructure to minimize traffic congestion, support transit, and diversify the tax base.
 - e. Increase pedestrian and bicycling opportunities and connections between neighborhoods, and with other communities, to improve transportation infrastructure and reduce dependence on the car.
 - f. Buildings should be placed in appropriate proximity to streets to create pedestrian scale. Buildings “step down” at boundaries with lower-density districts and upper stories “step back” from street.

Final approval is subject to the following Conditions:

1. Subject to staff approval, the site must be developed and maintained in substantial conformance with the following plans, unless modified by the conditions below:
 - Site plan date stamped April 21, 2015.
 - Grading plan date stamped April 21, 2015.
 - Landscaping plan date stamped April 21, 2015.
 - Building elevations date stamped April 16, 2015
 - Building materials board as presented at the Planning Commission and City Council meeting.
2. The property owner is responsible for replacing any required landscaping that dies
3. The applicant shall construct a boulevard style sidewalk along France and sidewalk connections from the existing building to the restaurant and from the boulevard sidewalk to the building.
4. The Final Lighting Plan must meet all minimum landscaping requirements per Section 850.04 of the Zoning Ordinance.
5. The Final Lighting Plan must meet all minimum requirements per Section 36-1260 of the City Code.
6. Submit a copy of the Nine Mile Creek Watershed District permit. The City may require revisions to the approved plans to meet the district's requirements.
7. Compliance with all of the conditions outlined in the director of engineering's memo dated May 8, 2015.
8. Final Rezoning is subject to a Zoning Ordinance Amendment creating the PUD, Planned Unit Development for this site.

PUD Ordinance

Recommend the City Council adopt the Ordinance Amendment to establish the PUD-8, Planned Unit Ddvelopment-8 District at 7700 France Avenue.

Deadline for a city decision: August 16, 2015

ORDINANCE NO. 2015-__

**AN ORDINANCE AMENDING THE ZONING ORDINANCE
TO ESTABLISH THE PUD-8, PLANNED UNIT DEVELOPMENT-8
DISTRICT AT 7700 FRANCE AVENUE**

The City Of Edina Ordains:

Section 1. Chapter 36, Article VIII, Division 4 is hereby amended to rezone the below described property to PUD, Planned Unit Development in accordance with the following:

Sec. 36-494 Planned Unit Development District-8 (PUD-8) – 7700 France

(a) *Legal description:*

Insert Legal

(b) **Approved Plans.** Incorporated herein by reference are the re-development plans received by the City on April 16 and 21, 2015 except as amended by City Council Resolution No. 2015-__, on file in the Office of the Planning Department.

(c) **Principal Uses:**

All uses allowed in the POD-2 Zoning District

A free-standing restaurant.

(d) **Accessory Uses:**

All accessory uses allowed in the POD-2 Zoning District.

(e) **Conditional Uses:**

All conditional uses allowed in the POD-2 Zoning District.

(f) **Development Standards.** Development standards per the POD-2 Zoning District.

(g) **Signs** shall be regulated per the POD-2 Zoning District.

Section 3. This ordinance is effective immediately.

First Reading:

Second Reading:

Published:

ATTEST:

Debra A. Mangen, City Clerk

James B. Hovland, Mayor

Please publish in the Edina Sun Current on:

Send two affidavits of publication.

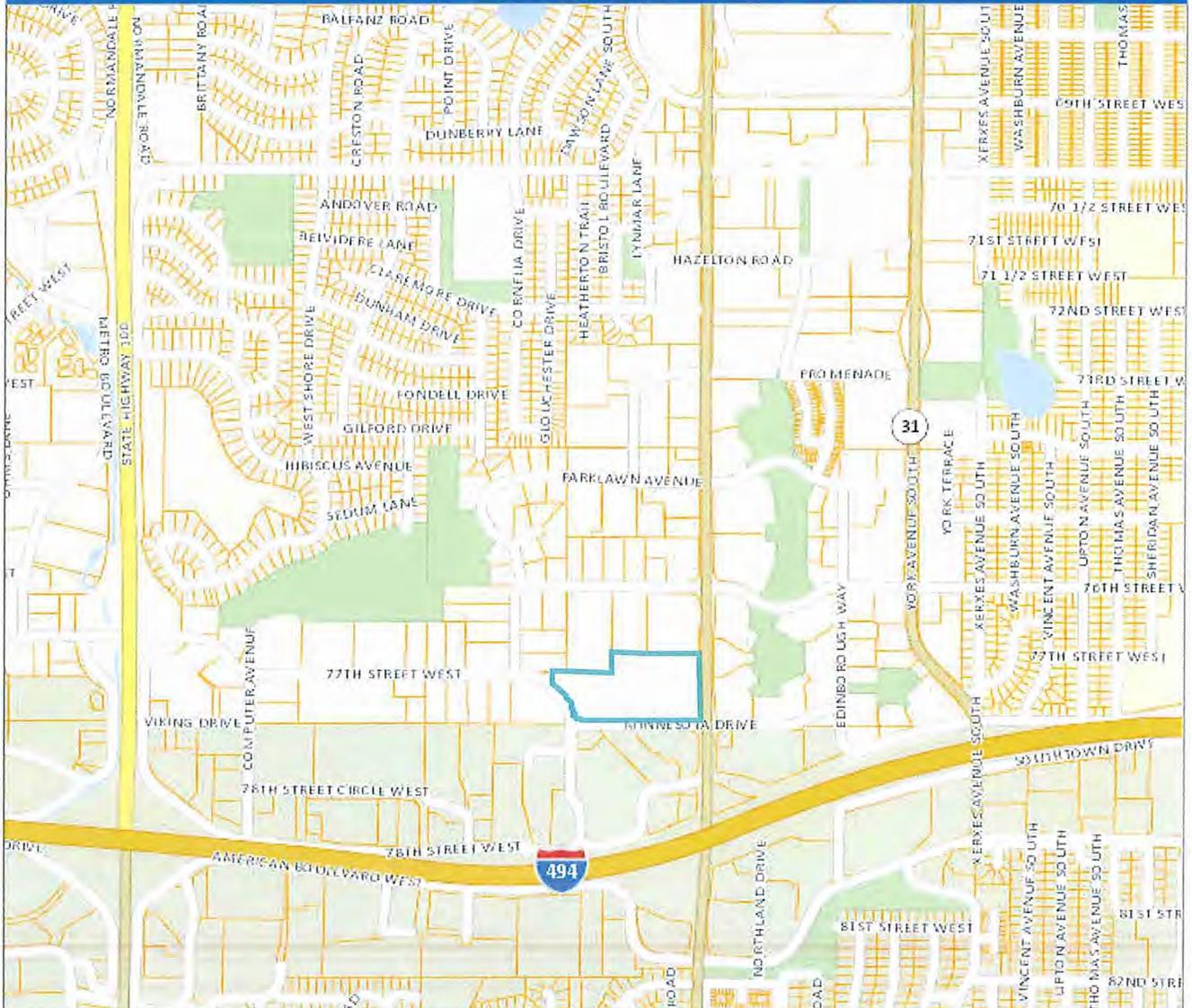
Bill to Edina City Clerk

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 Ordinance was duly adopted by the Edina City Council at its Regular Meeting of _____, 2015, and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this _____ day of _____, 2015.

City Clerk



Parcel ID: 31-028-24-44-0013

Owner Name: 7700 France Avenue Llc

Parcel Address: 7700 France Ave S
Edina, MN 55435

Property Type: Commercial-Preferred

Home-stead: Non-Homestead

Parcel Area: 17.1 acres
744,758 sq ft

A-T-B: Torrens

Market Total:

Tax Total:

Sale Price:

Sale Date:

Sale Code:

Map Scale: 1" ≈ 1600 ft.

Print Date: 9/22/2014

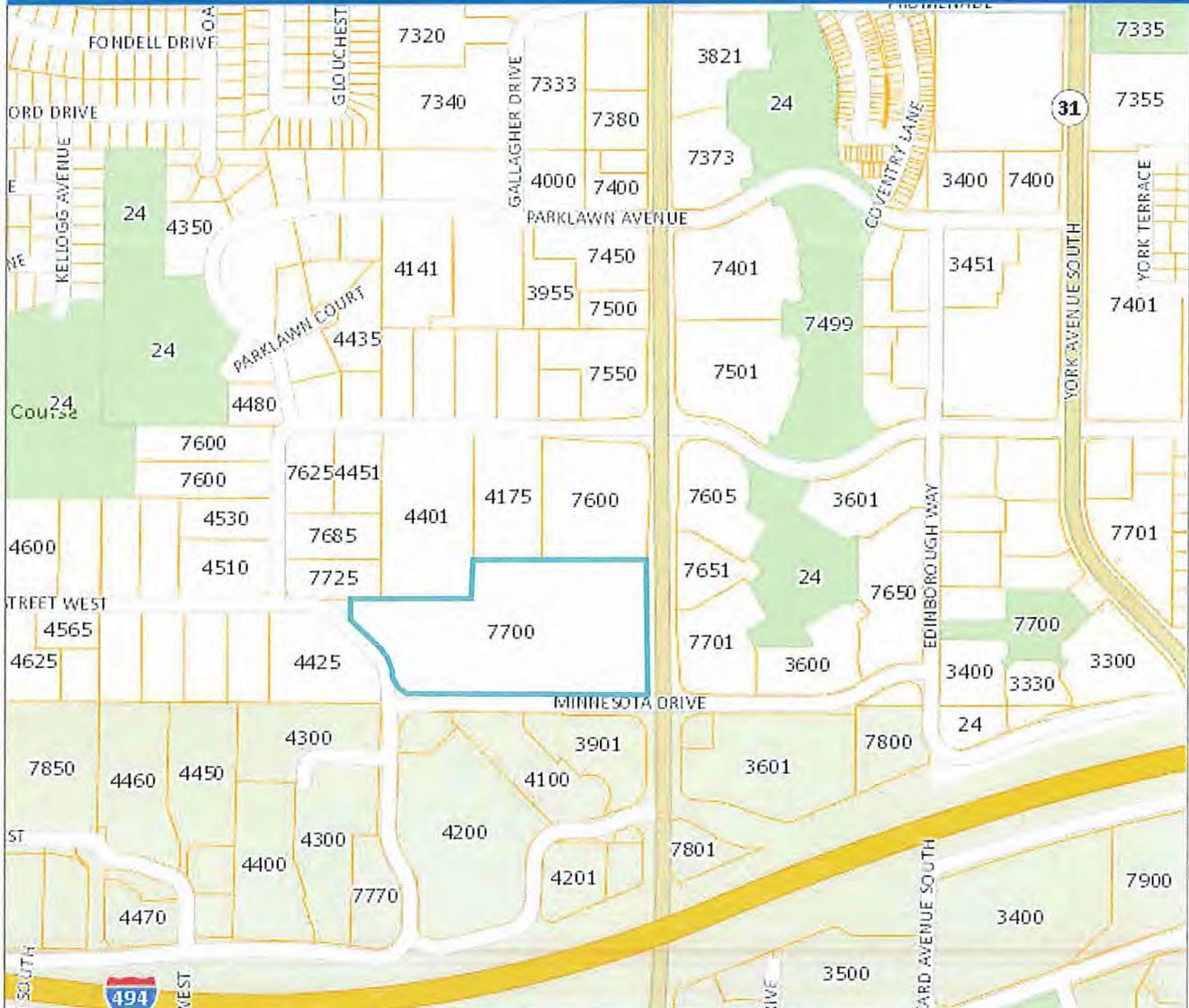


This map is a compilation of data from various sources and is furnished "AS IS" with no representation or warranty expressed or implied, including fitness of any particular purpose, merchantability, or the accuracy and completeness of the information shown.

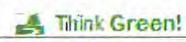
COPYRIGHT © HENNEPIN COUNTY 2014



AI



<p>Parcel ID: 31-028-24-44-0013</p>	<p>A-T-B:</p>	<p>Map Scale: 1" ≈ 800 ft.</p>	
<p>Owner Name: 7700 France Avenue Llc</p>	<p>Market Total:</p>	<p>Print Date: 9/22/2014</p>	
<p>Parcel Address: 7700 France Ave S Edina, MN 55435</p>	<p>Tax Total:</p>	<p>This map is a compilation of data from various sources and is furnished "AS IS" with no representation or warranty expressed or implied, including fitness of any particular purpose, merchantability, or the accuracy and completeness of the information shown.</p>	
<p>Property Type:</p>	<p>Sale Price:</p>		
<p>Home-stead:</p>	<p>Sale Date:</p>		
<p>Parcel Area: 17.1 acres 744,758 sq ft</p>	<p>Sale Code:</p>	<p>COPYRIGHT © HENNEPIN COUNTY 2014</p>	



12



<p>Parcel ID: 31-028-24-44-0013</p> <p>Owner Name: 7700 France Avenue Llc</p> <p>Parcel Address: 7700 France Ave S Edina, MN 55435</p> <p>Property Type: Commercial-Preferred</p> <p>Home-stead:</p> <p>Parcel Area: 17.1 acres 744,758 sq ft</p>	<p>A-T-B:</p> <p>Market Total:</p> <p>Tax Total:</p> <p>Sale Price:</p> <p>Sale Date:</p> <p>Sale Code:</p>	<p>Map Scale: 1" ≈ 200 ft.</p> <p>Print Date: 9/22/2014</p> <div data-bbox="1344 1453 1430 1549" data-label="Image"></div> <p>This map is a compilation of data from various sources and is furnished "AS IS" with no representation or warranty expressed or implied, including fitness of any particular purpose, merchantability, or the accuracy and completeness of the information shown.</p> <p>COPYRIGHT © HENNEPIN COUNTY 2014</p> <p> Think Green!</p>
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APPLICANT
NARRATIVE



Architecture & Planning
12400 Portland Avenue South, Suite 100
Burnsville, MN 55337
Office: (952) 252-4042
Fax: (952) 252-4043

Statement of Intended Use
7690 France Avenue South
Edina, MN 55435
April 17, 2015

This will be a full service seafood restaurant with a bar, private dining venue and an outdoor patio and bar created and operated by Parasole Restaurant Holdings. The restaurant is divided into two intersecting volumes. Parallel to France Avenue is a tall textured brown brick structure which houses the main dining and private dining rooms. At the top of this volume, around all four sides runs an aluminum clerestory window topped with a tapered overhang of the same material. Through this structure, perpendicular to France Avenue, passes a lower gray metal clad structure housing the indoor bar and oyster bar and the covered outdoor bar adjacent to France Avenue. A planted patio, covered by a cedar trellis, nestles up to the covered bar and runs along the taller brick building.

In a sea of chains, this is a Twin Cities original: A casual seafood grill and bar with a unique identity yet broad appeal, one with homegrown roots and a world-class menu. It's flexible and approachable enough to have everyday utility without sacrificing foodie credibility. And it has a pronounced urban feel – without the urban attitude.

Why a seafood restaurant? Mainly, because there's a hole in the market for one. And because the public loves seafood. Yet aside from a few boutique outliers like Sea Change, all we have are chains – McCormick & Schmick, Red Lobster, Joe's Crab Shack – and few fusty holdouts like Kincaid's and Blue Point. And nowhere is the need more pronounced than in the Southwest suburbs, where the business and residential demographics point to strong demand. Moreover, we know seafood. With Oceanaire and Sea Change, Phil Roberts and Tim McKee have created the two most important seafood restaurants in the history of Minnesota.

This will be Minnesota's next great seafood restaurant – and an unprecedented one, with two distinguishing features: a charcoal-fired grill and a wood-fired oven for roasted seafood – dishes like Cast Iron Roasted Sea Bass with Black Olive and Capers and Wood-Oven Steamed Australian Kingfish with Ginger & Soy. Wood Roasted Oysters alone will have their own section on the menu. There will be a raw bar, of course; fish & chip options for the timid; and new twists on classics like chowders, Po-Boys and Lobster Rolls. For the seafood averse: beef filets, chicken, pork – and, surely, a killer burger – will headline the "Shore" section of the menu.

Open for lunch and dinner; the saloon-like bar's happy hour will be a magnet for working-folk; and an expansive patio will enable diners to enjoy warm weather dining.

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As pristine as the seafood will be, the experience itself will be a breath of fresh air. Managers and staff will execute from a culture of service, not a manual of rules. Even the most timid eaters will find safe harbors here, while the most jaded foodies will find adventures in dishes like Bourbon Roasted Maine Lobster with Sweetcorn Spoonbread. The ambiance will be warm and inviting, yet bright and energized. The attitude will be confident but not pretentious and the offerings will be broadly accessible.

Our goal is to be a citywide destination for foodies; the go-to choice for the locals, and the best seafood restaurant anyone could hope for.

Headquartered in Edina, Minnesota, **Parasole Restaurant Holdings** operates BURGER JONES in Burnsville and on the north shore of Lake Calhoun in Minneapolis; Salut Bar Americain in St. Paul on Grand Avenue and in Edina on France Avenue; Chino Latino and Libertine in Uptown; Manny's Steakhouse, The Living Room & Prohibition at the W Minneapolis – The Foshay in downtown Minneapolis; Pittsburgh Blue Steakhouse in Edina and Maple Grove; Muffuletta Café in St. Paul's Como Park neighborhood; the Good Earth Restaurants in Edina and Roseville; and Mozza Mia Pizza Pie & Mozzarella Bar in Downtown Edina.

By joining the Parasole Dining Club, guests have the opportunity to earn points for the dollars they spend and to redeem them for food and drink at any participating Parasole restaurant. Details at Parasole.com



Architecture & Planning
12400 Portland Avenue South, Suite 100
Burnsville, MN 55337
Office: (952) 252-4042
Fax: (952) 252-4043

September 08, 2014

Proposed Restaurant
7690 France Avenue S.
Edina, MN



Looking Southwest

AG



L7

PLANNING DEPARTMENT
OCT 15 2014
CITY OF EDINA

free

APPROVED PRELIM PLAN

PARASOLE - SEAFOOD
RESTAURANT - NEW CONSTRUCTION
7690 FRANCE AVENUE
EDINA, MN 55435



DESIGN

reprise

Architecture, Inc.
12400 Portland Avenue South
Suite 100, Portland Corporate Center
Burnsville, MN 55337
Office: (952) 252-4042
Fax: (952) 252-4043



4 EAST ELEVATION
SCALE: 1/8"=1'-0"



3 SOUTH ELEVATION
SCALE: 1/8"=1'-0"



2 WEST ELEVATION
SCALE: 1/8"=1'-0"



1 NORTH ELEVATION
SCALE: 1/8"=1'-0"

APPROVED PRELIM PLAN

PLANNING DEPARTMENT
OCT 15 2014
CITY OF EDINA

AS

MOSCHELLA + ROBERTS LLC

30 VESSEY STREET
11TH FLOOR
NEW YORK
NEW YORK
10001
T: 212 254-0420
F: 212 233-0160

7690 FRANCE AVE.

14 OCTOBER 2014
SCALE: AS NOTED
DRAWN BY: RW & SJ

TITLE:
EXTERIOR ELEVATION:



- ALUMINUM EYEBROW
- PAINTED CEMENTIOUS PANEL
- BRICK
- SLATTED CEDAR AWNINGS
- PAINTED CEMENTIOUS PANELS

1 EAST ELEVATION

SCALE: 1/8"=1'-0"



- FABRIC AWNINGS
- PAINTED CEMENTIOUS PANELS

RED CEDAR VERTICAL PANELS

RED CEDAR FASCIA

2 SOUTH ELEVATION

SCALE: 1/8"=1'-0"

019

- CLORESTRY WINDOWS

- STUCCO
- ACCENT BAND



3 WEST ELEVATION

SCALE: 1/8"=1'-0"



4 NORTH ELEVATION

SCALE: 1/8"=1'-0"

7690 FRANCE AVE.

PROPOSED FINAL PLAN

All



BELDEN BRICK - BRANDY WINE

**PLANK
SIDING**

**ROOF
CANOPY**



**KITCHEN STUDIO -
FIELD & ACCENT
COLOR**



**WINDOW
MULLION &
STOREFRONT**



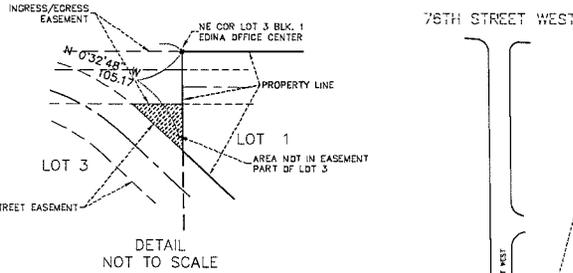
CEDAR TRELLIS

NOTES CORRESPONDING TO EASEMENTS:

- 1. DRAINAGE AND UTILITY EASEMENT AS SHOWN BY THE RECORDED PLAT OF EDINA OFFICE CENTER IS PLOTTED
- 2. DECLARATION OF EASEMENTS AND CONVEYANCE GRANTING EASEMENT FOR INGRESS AND EGRESS PER DOC. NO. 1321943 IS PLOTTED
- 3. AGREEMENT (CONDITIONS TO DONING VARIANCE) DATED SEPTEMBER 21, 1979, RESOLUTION 12TH DAY OF AUGUST, 1985, TO PUNISH THE CROSS-FLOOR AREA RESTRICTION FOR LOT 2, BLOCK 1, EDINA OFFICE CENTER EXCEPT NOT TO EXCEED HALF LOT AREA. LOT PLOTTED; DOES AFFECT PROPERTY
- 4. EASEMENT FOR TRANSMISSION LINES IN FAVOR OF NORTHERN STATES POWER AS CREATED IN DOCUMENTS DATED NOVEMBER 18, 1984, FILED JANUARY 11, 1985, AS DOCUMENT NO. 787209, DATED JANUARY 7, 1985, FILED JANUARY 11, 1985, AS DOCUMENT NO. 787205, AND DATED NOVEMBER 2, 1985, FILED NOVEMBER 22, 1985, AS DOCUMENT NO. 828912, SHOWN ON SURVEY
- 5. STORM AND SURFACE WATER PONDING EASEMENT AND PUBLIC STREET AND UTILITY EASEMENT PER DOC. NO. 1321842 IS PLOTTED. PONDING EASEMENT PORTION DOES NOT AFFECT SUBJECT PROPERTY.
- 6. EASEMENT FOR PUBLIC ROAD PURPOSES PER DOC. NO. 183339, AS SHOWN ON SURVEY
- 7. EASEMENT FOR SIDEWALK PURPOSES PER DOC. NO. 293228 IS PLOTTED
- 8. EASEMENT PER DOC. NO. 325243, AS SHOWN ON SURVEY.

STATEMENT OF POTENTIAL ENCROACHMENTS:

- A. TURN LANE FROM FRANCE AVE. TO 77TH STREET WEST
- B. NORTHWEST CORNER OF BUILDING ENDOACHES RIVER HSP EASEMENT DOC. NO. 787209
- C. PORTION OF DRIVEWAY AND CORNER PROPERTY DOES NOT LIE WITHIN SUBJECT PROPERTY OF EASEMENT



PROPERTY DESCRIPTION

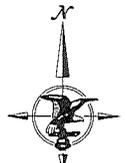
Lot 2, Block 1, EDINA OFFICE CENTER, except that portion thereof lying Southerly and Westerly of the Waserly right-of-way of West 77th Street as described in Document No. 1321842, according to the recorded plat thereof, Hennepin County, Minnesota. Together with the benefits of the easements set forth in Document No. 1321843.

Property is Torrens
Certificate No. 1048592

Legal description same as described in Chicago Title Insurance Company, Commitment No. 15021A, dated September 18, 2008.

GENERAL NOTES:

- The bearing system used is based on the plat of EDINA OFFICE CENTER.
- The location of the underground utilities shown herein, if any, are approximate only. PURSUANT TO ICA 2102 CONTACT CORNER STATE ONE CALL AT (812) 454-0000 PRIOR TO ANY CREATION.
- Subject property is identified as being in "Zone C, Area of Minimal Flooding" on Flood Insurance Rate Map, Community-Flood No. 27068 0001 0080, effective date May 1, 1983.
- AREA = 794,568 SQUARE FEET (18.248 Acres) (INCLUDES R.O.W.)
AREA = 743,890 Square Feet = 17.028 Acres (EXCLUDES ALL R.O.W. VARIANCES)
- All field measurements matched recorded dimensions within the precision requirements of ALTA/ACSM specifications.
- This survey was made on the ground and in accordance with the Minimum Standard Detail Requirements for Land Title Surveys as adopted by ALTA and ACSM.
- There are a total of 1,232 striped parking stalls on east property of which there are 32 designated as handicap.
- This survey was made on the ground.
- No current title work was furnished for the preparation of this survey; legal descriptions, recorded or unrecorded easements and encumbrances are subject to revision upon receipt of current title work.
- Elevation datum is based on NAD83 88 data.
Benchmark is located Top of Lot #2 SHOWN ON SURVEY
Elevation = 832.74



SCALE: 1 INCH = 80 FEET

REVISIONS	
Date:	
7/11/02	ADDED INVERTS
1/29/04	REVISED UTILITY INFORMATION

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota

Thomas E. Hodorf, L.S.
Thomas E. Hodorf, L.S.
Minnesota Reg. No. 23677
Date: July 2, 2012

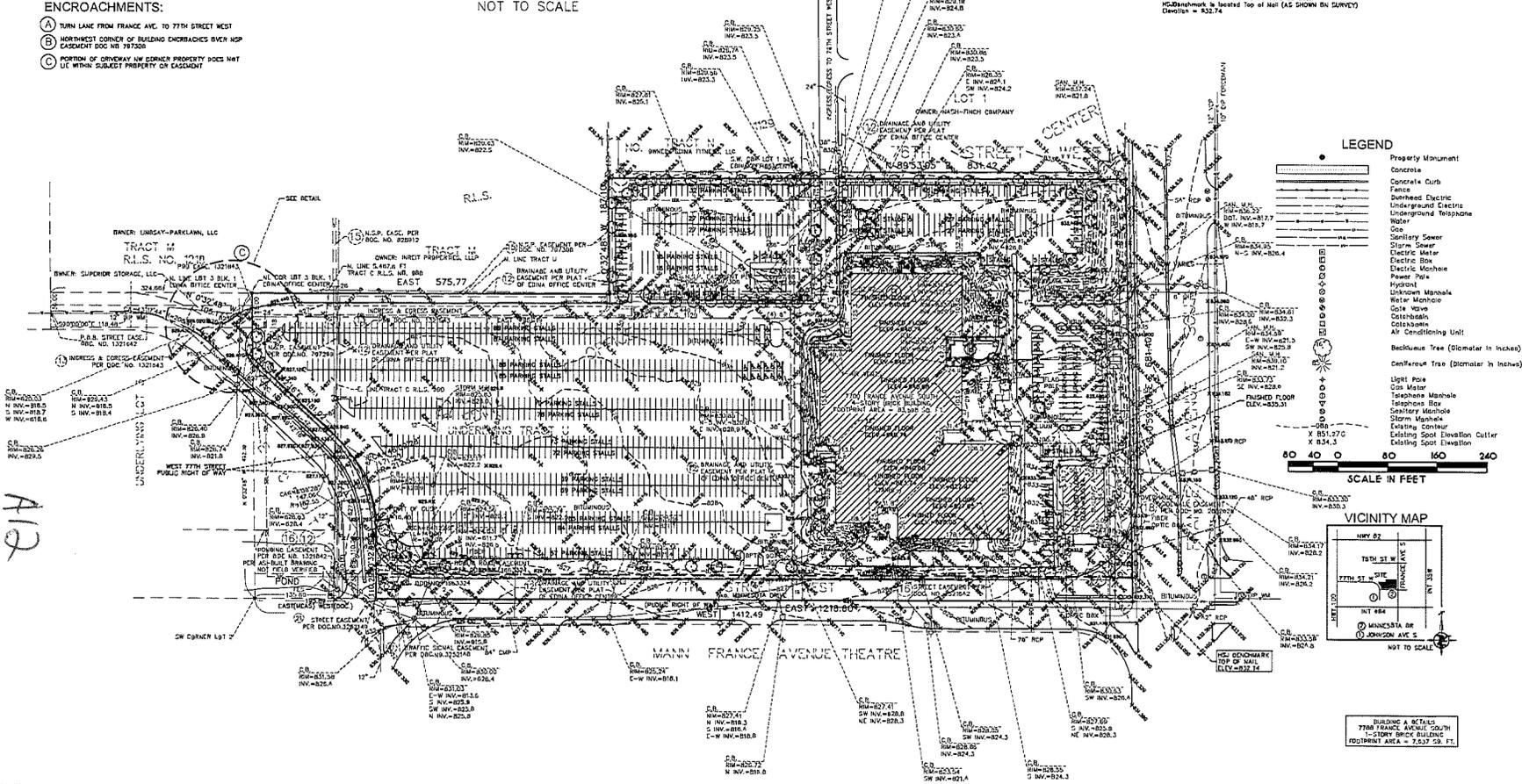
TOPOGRAPHICAL AND BOUNDARY SURVEY

For:
FRAUENSHUH COMPANIES
BLOOMINGTON

SITE:
7700 FRANCE AVENUE SOUTH
EDINA, MINNESOTA
HENNEPIN COUNTY

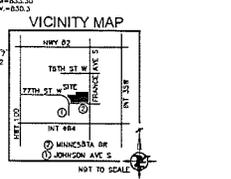
HARRY S. JOHNSON CO., INC.
LAND SURVEYORS
9065 Lyndale Avenue South
Bloomington, MN, 55437
Tele. 952-884-5341 Fax 952-884-5344
www.hsj.com

Sheet	File No.
826	1-3-8340
Page	79
Job Number	2012260
Sheet No.	1 OF 1

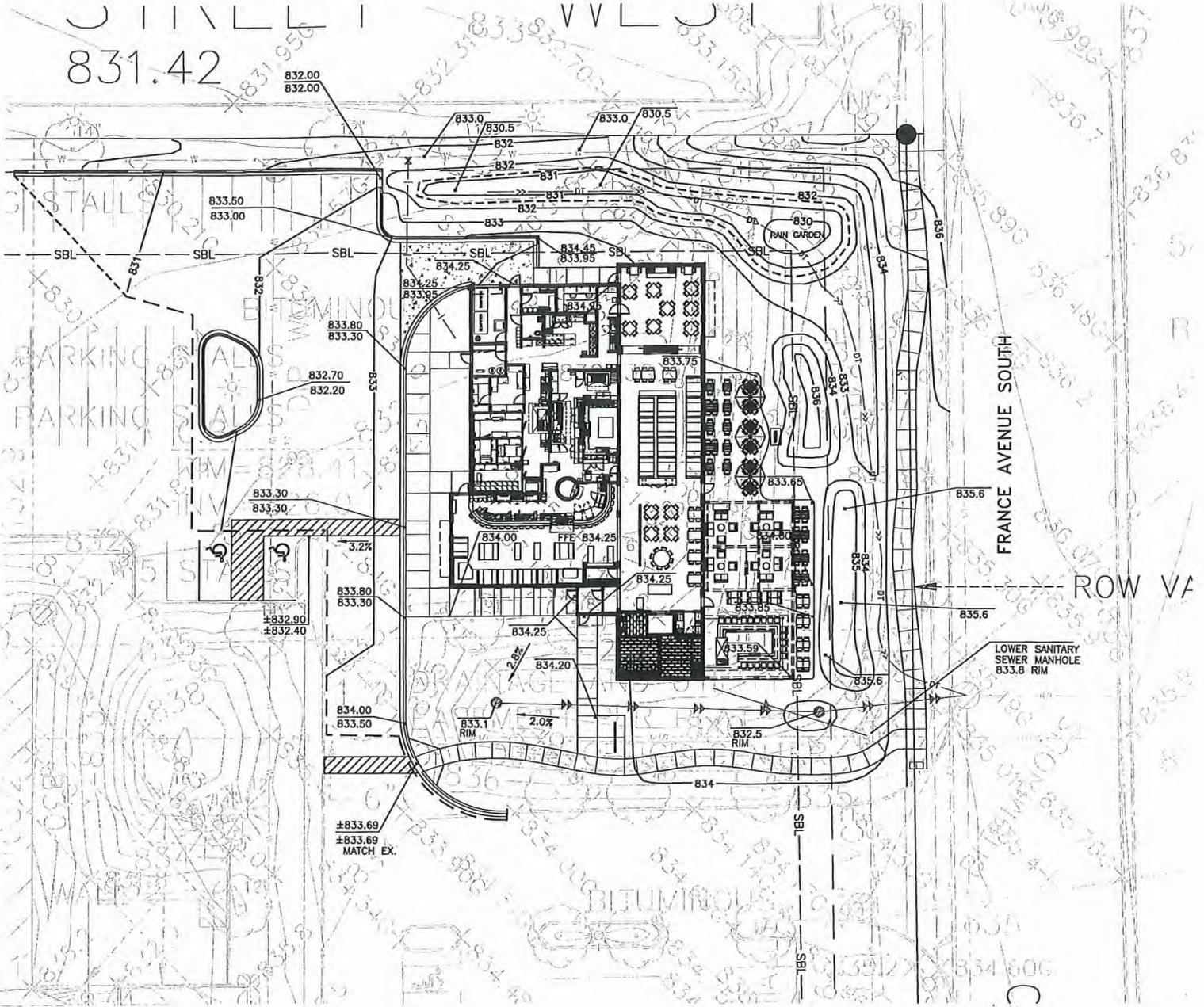


LEGEND

	Property Monument
	Concrete
	Concrete Curb
	Fence
	Buried Electric
	Underground Electric
	Underground Telephone
	Water
	Sanitary Sewer
	Storm Sewer
	Electric Meter
	Electric Box
	Electric Manhole
	Power Pole
	Hydrant
	Unknown Manhole
	Meter Manhole
	Spot Elevation
	Ditch/Stream
	Air Conditioning Unit
	Backhoe Tree (Diameter in Inches)
	Centimeter Tree (Diameter in Inches)
	Light Pole
	Gas Meter
	Telephone Manhole
	Telephone Box
	Sanitary Manhole
	Storm Manhole
	Elevation Control
	Existing Spot Elevation

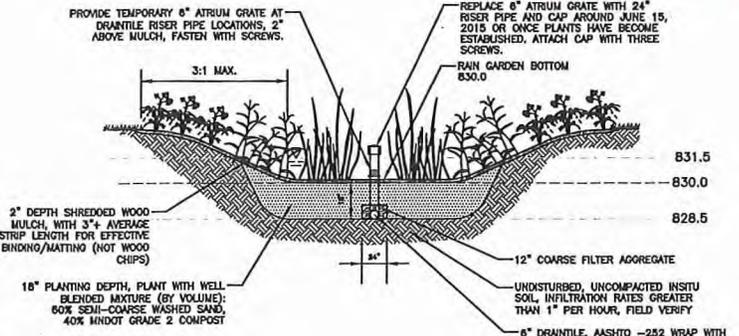


BUILDING DETAILS
7700 FRANCE AVENUE SOUTH
1-STORY BRICK BUILDING
FOOTPRINT AREA = 7,537 SQ. FT.



GRADING + DRAINAGE

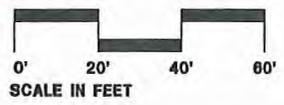
ES:
 ION CONTROL FENCE, WOOD FIBER BIOROLLS, RECEPT RUNOFF AS NECESSARY.
 I IN PLACE AND BE MAINTAINED IN GOOD S BEEN RE-VEGETATED OR STABILIZED.
 VIDED TO ALLOW FOR THE REPLACEMENT OF 4" RE-VEGETATED.
 TION FOR PERIOD OF 21 DAYS OR MORE MUST BE MORE THAN 14 DAYS AFTER THE LAST DATE OF TABILIZED.
 IMENT THAT ESCAPES THE SITE MUST BE REMOVED TED AT LEAST EVERY 7 CALENDER DAYS AND



LEGEND:

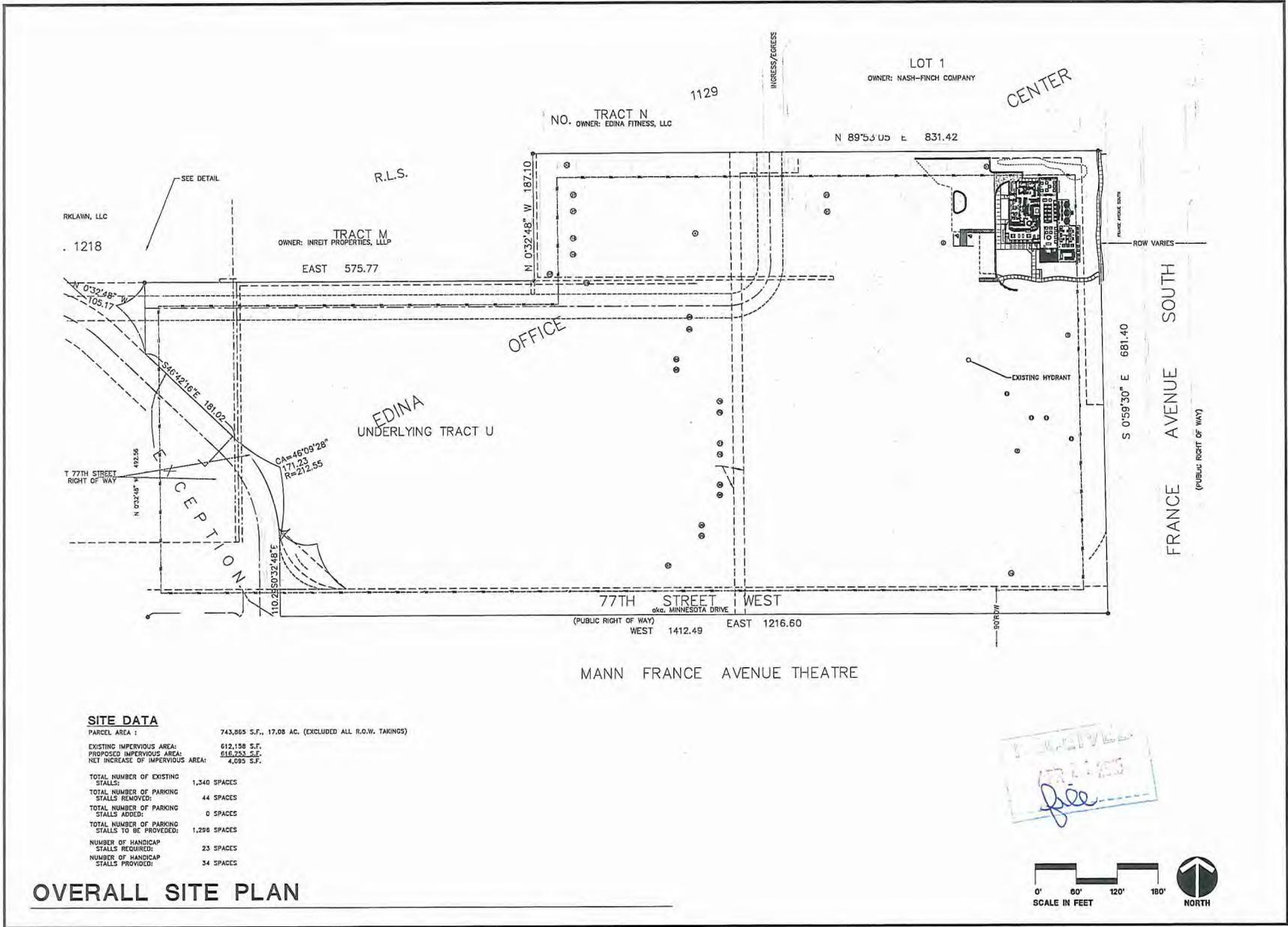
— 1123 —	EXISTING CONTOUR
— 1123 —	PROPOSED CONTOUR
1267.00	TOP OF CURB
1266.50	GUTTER LINE

RAIN GARDEN SECTION
 NOT TO SCALE



LAN

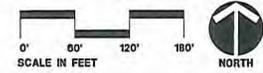
A14



SITE DATA

PARCEL AREA :	743,865 S.F., 17.08 AC. (EXCLUDED ALL R.O.W. TAKINGS)
EXISTING IMPERVIOUS AREA:	612,158 S.F.
PROPOSED IMPERVIOUS AREA:	616,253 S.F.
NET INCREASE OF IMPERVIOUS AREA:	4,095 S.F.
TOTAL NUMBER OF EXISTING STALLS:	1,340 SPACES
TOTAL NUMBER OF PARKING STALLS REMOVED:	44 SPACES
TOTAL NUMBER OF PARKING STALLS ADDED:	0 SPACES
TOTAL NUMBER OF PARKING STALLS TO BE PROVIDED:	1,296 SPACES
NUMBER OF HANDICAP STALLS REQUIRED:	23 SPACES
NUMBER OF HANDICAP STALLS PROVIDED:	34 SPACES

OVERALL SITE PLAN



Architectural, Inc.
 1100 N. 1st St., Suite 200
 Edina, MN 55435
 Phone: 763-851-1111
 Fax: 763-851-1112

DESIGN

A/6

PARASOLE - SEAFOOD
 RESTAURANT - NEW CONSTRUCTION
 7680 FRANCE AVENUE
 EDINA, MN 55435

OVERALL SITE PLAN

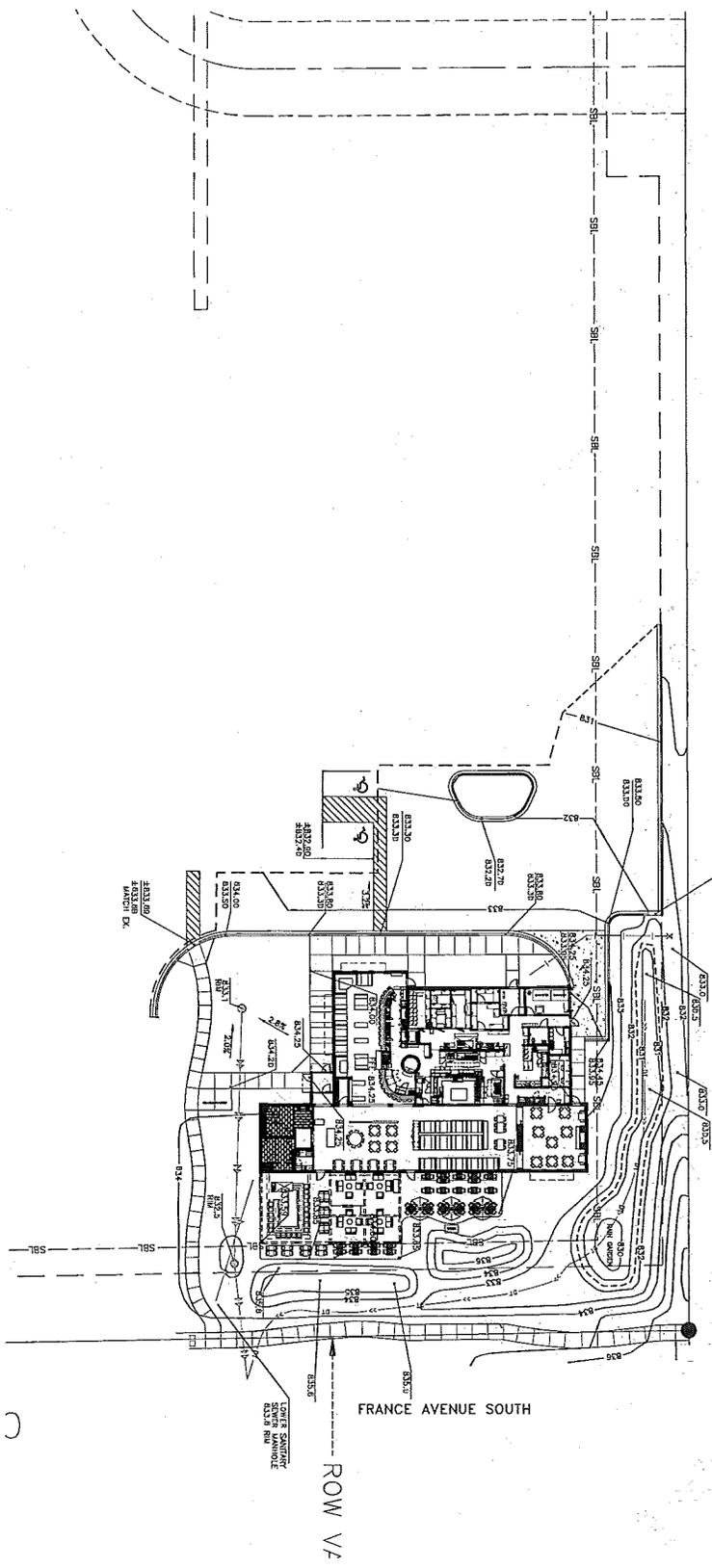
PRELIMINARY
NOT FOR
CONSTRUCTION
 4-21-15

DATE ISSUED _____
 DD PRICING SET 4-21-15

DRAWN BY _____ TK
 CHECKED BY _____ CJ
 JOB NO. 13248

C-1

U T I L I T Y L I N E S
 N 89°53'05" E 831.42

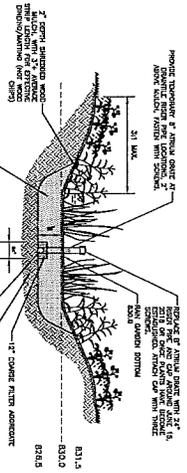


GRADING NOTES:

1. ALL EXISTING ELEVATIONS SHALL BE SHOWN BY CONTOUR LINES.
2. ALL NEW CONSTRUCTION SHALL BE SHOWN BY SOLID LINES.
3. ALL WORK SHALL COMPLY WITH THE CITY DESIGN STANDARDS.
4. ALL NEW CONSTRUCTION SHALL BE SHOWN BY SOLID LINES.
5. CONTOUR LINES SHALL BE SHOWN AT 1'00' INTERVALS.
6. CONTOUR LINES SHALL BE SHOWN AT 1'00' INTERVALS.
7. ALL PROPOSED CONSTRUCTION SHALL BE SHOWN BY SOLID LINES.
8. ALL PROPOSED CONSTRUCTION SHALL BE SHOWN BY SOLID LINES.

EROSION CONTROL NOTES:

1. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY DESIGN STANDARDS.
2. EROSION CONTROL MEASURES SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY DESIGN STANDARDS.
3. EROSION CONTROL MEASURES SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY DESIGN STANDARDS.
4. EROSION CONTROL MEASURES SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY DESIGN STANDARDS.

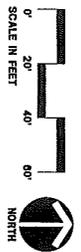


GRADING AND EROSION CONTROL PLAN

RAIN GARDEN SECTION

LEGEND:

- 1:12 PROPOSED CONTOUR
- 10' OF CURB
- 12' OF CUTTER LANE



PARASOLE - SEAFOOD
 RESTAURANT - NEW CONSTRUCTION
 7690 FRANCE AVENUE
 EDINA, MN 55435

GRADING & EROSION CONTROL

ARCHITECTURE, INC.
 DESIGN

PRELIMINARY NOT FOR CONSTRUCTION
 4-21-16

C-3

118

spaces to 6,442 spaces based on staff findings and subject to staff conditions. Fischer also recommended that approval is to include direct pedestrian access to the Southdale Mall via a 45 degree angle and to also include pedestrian access to the transit facility. (Fischer also asked that special thought be given to find a way to preserve the trees along that access route). Commissioner Potts seconded the motion. Ayes; Scherer, Forrest, Schroeder, Potts, Platteter, Carpenter, Staunton, Fischer and Grabiell. Motion carried 9-0.

Commissioner Staunton moved to recommend Conditional Use Permit approval based on staff findings and subject to staff conditions to include direct pedestrian access to the Southdale Mall via a 45 degree angle and to also include pedestrian access to the transit facility. Commissioner Scherer seconded the motion. All voted aye; Scherer, Forrest, Schroeder, Potts, Platteter, Carpenter, Staunton, Fischer and Grabiell. Motion carried 9-0.

Commissioner Carpenter moved to recommend re-plat approval. Commissioner Potts seconded the motion. All voted aye; Scherer, Forrest, Schroeder, Potts, Platteter, Carpenter, Staunton, Fischer and Grabiell. Motion carried 9-0.

VII. REPORTS

A. Sketch Plan, Frauenshuh, 7700 France Avenue, Edina, MN

Planner Presentation

Planner Teague reported that the Planning Commission is being asked to consider a sketch plan proposal to develop the northeast corner of the 7700 France with a single-story, 7,500 square foot "fine-dining" restaurant building. The site is 17 acres in size and contains a six-story 319,000 square foot office building and a 7,623 square foot single story office building in the southeast corner of the site.

The restaurant would be designed for seating up to 250 people, and would provide 93 dedicated parking spaces in addition to the shared parking with the office buildings.

Teague said the proposed building would be made of high quality stone, glass and metal. An area for outdoor dining would also be provided, however, is not guaranteed to be utilized.

Teague asked the Commission to note that the primary issues with this request is that a free-standing restaurant is not a permitted use in the POD-2 zoning district; however, a restaurant is a permitted accessory use within an office building.

Teague said if the Commission and Council are receptive to allowing a restaurant in this location the applicant would needs to decide on two options; 1) a PUD rezoning and 2) Ordinance amendment to allow restaurants as a permitted use in the POD-2 zoning district.

Concluding Teague also stated if this proposal “moves forward” a traffic study would need to be completed to determine impacts on adjacent roadways.

Appearing for the Applicant

David Anderson, Frauenshuh.

Comments/Questions

Commissioner Fischer said this seems reasonable considering the size of the tract and asked Planner Teague if he knows the reason a freestanding restaurant isn't allowed in a POD-2 zoning district. Teague responded he really doesn't know the history behind this decision. Commissioners said maybe the decision to **exclude** freestanding restaurants in this zoning district was to prevent fast-food restaurants from popping up.

Applicant Presentation

Mr. Anderson briefed the Commission on the history of the property. He said the site is 17 acres that consists of a principal **multi-story office building** totaling 319,000 square-feet. Anderson explained that the site **includes** underground parking spaces for building tenants and ample surface parking with over **1,400** parking spaces for building tenants and guests.

Continuing, Anderson said the property has a solid appeal in the market place and is in a sound financial position. Anderson said this request is a direct response to market interest. He noted the property is very large and the proposed building isn't very large. Anderson introduced Eric Reiner of Sperides Reiner Architect.

Mr. Reiner informed the Commission that at this time they are not working with a particular restaurant company. They are **only** working off directives to develop a restaurant that engages France Avenue and complements the office building(s).

Chair Grabiell noted if you look up and down France Avenue there are a number of restaurants. Grabiell asked if there was a decision on the type of restaurant. Mr. Reiner responded that their goal is an **upscale** high service restaurant.

Commissioner Carpenter asked if the applicant viewed the site in broader terms. Mr. Anderson responded that if one views the site the proposed location of the restaurant is on a natural pad. Anderson explained that at this time the office market is slow; however, if a PUD is granted the option of amending the PUD would remain. Concluding, Anderson said at this time they believe a high-end restaurant addressing France Avenue is a great fit for the area and of benefit to the site itself.

Commissioner Forrest said she agrees with a rezoning to PUD, adding it's a great idea trying to incorporate the restaurant to work with the public realm.

Commissioner Platteter agreed that a PUD rezoning in this situation was best. Platteter said in his opinion changing the Ordinance to allow this isn't the way to proceed. Changing the Ordinance could open the door to less desirable proposals.

Commissioner Fischer said he likes this concept and in his opinion PUD is the correct way to proceed. Fischer added this fits the "theme" of doing innovative things with large parking lots.

Commissioner Schroeder stated he agrees this is a good concept; however, the pedestrian physical connection is missing because the area lacks sidewalks.

Chair Grabiell stated the consensus of the Commission appears to support a rezoning to PUD to facilitate construction of a freestanding restaurant. Grabiell encouraged the applicant to proceed to the City Council with their sketch plan.

VII. CORRESPONDENCE AND PETITIONS

Chair Grabiell acknowledged back of packet materials.

VIII. CHAIR AND COMMISSION COMMENTS

Chair Grabiell said the joint work session between the City Council and Commission was constructive.

IX. STAFF COMMENTS

Planner Teague reported that Starbucks will be back before the Commission on October 10th with a revised plan. Teague told the Commission Starbucks is rotating their building similar to the suggestion made by Commissioner Staunton.

Jordan Gilgenbach asked the Commission to note a new interactive City website SpeakUpEdina.org.

X. ADJOURNMENT

Commissioner Potts moved adjournment at 10:10 PM. Commissioner Platteter seconded the motion. All voted aye; motion to adjourn carried.

Jackie Hoogenakker

Respectfully submitted

improvements of sidewalks, trails, and non-motorized transportation projects. He indicated if adopted tonight, the franchise fees would be imposed the first quarter of 2013.

Finance Director Wallin advised of an ordinance language change requested by Centerpoint to Subdivision 8, Surcharge, of Ordinance No. 2012-15 and by Xcel Energy to Subdivision 4, Surcharge, of Ordinance 2012-16.

Mr. Neal explained the utility company had the ability to impose a nominal surcharge above the City's franchise fee to cover administrative costs to impose the fee. Attorney Knutson advised the utilities had to obtain Minnesota Public Utilities Commission approval to impose such a surcharge and until that action was taken, the amount was not known. Should that occur, the City would be notified. It was noted the franchise fees would be collected monthly and disbursed quarterly.

Michelle Swanson, Xcel Energy, stated their legal department advised that the Department of Commerce asked that language be included in the standard fee ordinance. She assured the Council that nothing above the City's franchise fee would be collected by Xcel Energy and explained the tradeoff for administrative costs to administer franchise fees was "in lieu of permit fees."

Mr. Neal reviewed the Council's rationale to impose a franchise fee because the City was not able through existing resources to adequately fund sidewalks, trails, and bicycle paths that would increase safety and walkability. In addition, the fee would result in a general cost across the City instead of assessing to particular property owners. Mr. Neal noted the rate would be fixed at \$1.45/residential customer until a Council adopts another ordinance to change it. He reviewed the additional classifications of customers and indicated over 95% of customers were residential.

The Council acknowledged a franchise fee was not dependent on usage, income, or property value. There were not sidewalks on every street in the City so under the current system, some land owners paid special assessments for sidewalks that were used by others who might never share in the cost. A franchise fee would help make assessments more affordable and expand sidewalk/trail funding across the City to all, including tax exempt properties. Following discussion, the Council determined to not consider a sunset provision since it would be structured as a special enterprise fund with a proposed budget that would be under the Council's review. **Member Swenson made a motion to grant Second Reading adopting Ordinance No. 2012-15, implementing a gas energy franchise fee on Centerpoint Energy Minnesota Gas ("Centerpoint Energy") for providing gas energy service within the City of Edina, with revisions to Subdivision 8. Member Sprague seconded the motion.**

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

VIII.D. ORDINANCE NO. 2012-16 – ADOPTED – FRANCHISE ORDINANCE – XCEL

Member Bennett made a motion to grant Second Reading adopting Ordinance No. 2012-16, implementing an electric service franchise fee on Northern States Power Company, a Minnesota Corporation, D/B/A Xcel Energy, its successors and assigns, for providing electric service within the City of Edina, with revisions to Subdivision 4. Member Brindle seconded the motion.

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

VIII.E. SKETCH PLAN REVIEWED – RESTAURANT PROPOSAL AT 7700 FRANCE AVENUE

Community Development Director Presentation

Mr. Teague presented the sketch plan to develop the northeast corner of 7700 France Avenue with a single-story 7,500 sq. ft. fine-dining restaurant. The 17 acre site was zoned POD and contained a six-story 319,000 sq. ft. office building and 7,623 sq. ft. single-story office/bank building in the southeast corner of

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the site. He advised of the Planning Commission's deliberation at its September 12, 2012, meeting and consensus reached to support a rezoning to PUD to facilitate construction of a freestanding restaurant.

Proponent Presentation

David Anderson, Senior Vice President of Frauenshuh Commercial Real Estate, 7101 West 78th, Bloomington, thanked the Council for the opportunity to share this concept and PUD approach. He explained allowing flexibility for this development to work in harmony with the existing office building and tenants and to address this property's long-term development potential through future PUD amendments. In the meantime, the design concept would be pedestrian oriented and a presence on France Avenue. Mr. Anderson indicated the architectural theme would evolve depending on the user but definitely would be an upscale effort. He noted there was a sidewalk along France Avenue on the west side.

The Council discussed the site plan and indicated its support to consider a PUD. It was acknowledged that people were drawn to live and work in this area and visit places such as this restaurant. The Council commented on the desirability of creating pedestrian connections, intense landscaping, insulating outside diners from France Avenue, addressing accessibility, and not tying into the existing bulkhead sidewalk but creating a boulevard sidewalk design with a garden/oasis setting.

Mr. Anderson described types of upscale restaurants and indicated the building's architecture, service, and theme that would be attractive to the market and consistent with France Avenue. He thanked the Council for its comments to create quality opportunities and indicated it would be designed for a specific tenant.

VIII.F. RESOLUTION NO. 2012-137 ADOPTED – ACCEPTING VARIOUS DONATIONS

Mayor Hovland explained that in order to comply with State Statutes; all donations to the City must be adopted by Resolution and approved by four favorable votes of the Council accepting the donations. **Member Bennett introduced and moved adoption of Resolution No. 2012-137 accepting various donations.** Member Sprague seconded the motion.

Rollcall:

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

IX. CORRESPONDENCE AND PETITIONS

IX.A. CORRESPONDENCE

Mayor Hovland acknowledged the Council's receipt of various correspondence.

IX.B. MINUTES

1. **EDINA TRANSPORTATION COMMISSION – AUGUST 16, 2012**
2. **HERITAGE PRESERVATION BOARD – SEPTEMBER 11, 2012 AND OCTOBER 1, 2012**
3. **PARK BOARD – SEPTEMBER 11, 2012**
4. **BUILDING CONSTRUCTION BOARD – JULY 23, 2012**
5. **ART CENTER BOARD – JUNE 28, 2012, JULY 26, 2012, AND AUGUST 23, 2012**

Informational; no action required.

X. MAYOR AND COUNCIL COMMENTS – Received

XI. MANAGER'S COMMENTS – Received

XII. ADJOURNMENT

There being no further business on the Council Agenda, Mayor Hovland declared the meeting adjourned at 10:20 p.m.

Respectfully submitted,



Traffic Impact Study for 7690 France Avenue in Edina, MN

Prepared for:

CITY OF EDINA

Prepared by:

WENCK ASSOCIATES, INC.

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P.O. Box 249

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1.0 Executive Summary

The purpose of this Traffic Impact Study is to evaluate the traffic impacts of the proposed new restaurant building located at 7690 France Avenue in Edina, MN. The project site is located in the northeast corner of the 7700 France Avenue property. The proposed project location is currently occupied by parking spaces and landscaping area.

This study examined weekday a.m. and p.m. peak hour traffic impacts of the proposed redevelopment at the following intersections:

- France Avenue at 76th Street
- France Avenue at Minnesota Drive
- Johnson Avenue at Minnesota Drive
- 77th Street at Parklawn Avenue
- France Avenue at Site Access
- Minnesota Drive at Site Access
- 77th Street at Site Access

The proposed project will involve constructing a new restaurant building. The project will utilize existing parking spaces on the site. Access for the site is provided via the existing access points for the 7700 France Avenue building.

The proposed land uses and sizes are shown in Table 1.

Table 1
Proposed Land Uses and Sizes

Land Use	Size	Unit
Quality restaurant	7,700	SF

SF = square feet

The project is expected to be completed by the end of 2015.

The conclusions drawn from the information and analyses presented in this report are as follows:

- The proposed development is expected to generate a net total of 6 trips during the a.m. peak hour and 58 trips during the p.m. peak hour.
- Trips generated by the proposed development do not change the level of service of movements at any of the analyzed intersections.
- The project trips have minimal impact on the overall traffic operations. No improvements are needed to the surrounding street system to accommodate the proposed project.
- The existing site provides a large number of surface parking stalls which are utilized for employees of the on-site office buildings. These uses operate from approximately 7 a.m. to 6 p.m. Monday through Friday. There is very little use of the parking areas after 6 p.m.
- The peak demand for existing parking spaces occurred at 2 p.m. during the weekday survey. At 2 p.m., 910 of the on-site parking spaces were used, leaving 459 available. The parking demand greatly decreases after 6 p.m. The minimum Zoning Code parking requirement is 116 to 126 spaces and the peak parking demand using ITE data is 126 spaces. As shown in this report, there are adequate spaces available to accommodate these requirements.

2.0 Purpose and Background

The purpose of this Traffic Impact Study is to evaluate the traffic impacts of the proposed new restaurant building located at 7690 France Avenue in Edina, MN. The project site is located in the northeast corner of the 7700 France Avenue property. The proposed project location is currently occupied by parking spaces and landscaping area. The project location is shown in **Figure 1**.

This study examined weekday a.m. and p.m. peak hour traffic impacts of the proposed redevelopment at the following intersections:

- France Avenue at 76th Street
- France Avenue at Minnesota Drive
- Johnson Avenue at Minnesota Drive
- 77th Street at Parklawn Avenue
- France Avenue at Site Access
- Minnesota Drive at Site Access
- 77th Street at Site Access

Proposed Development Characteristics

The proposed project will involve constructing a new restaurant building. The project will utilize existing parking spaces on the site. Access for the site is provided via the existing access points for the 7700 France Avenue building.

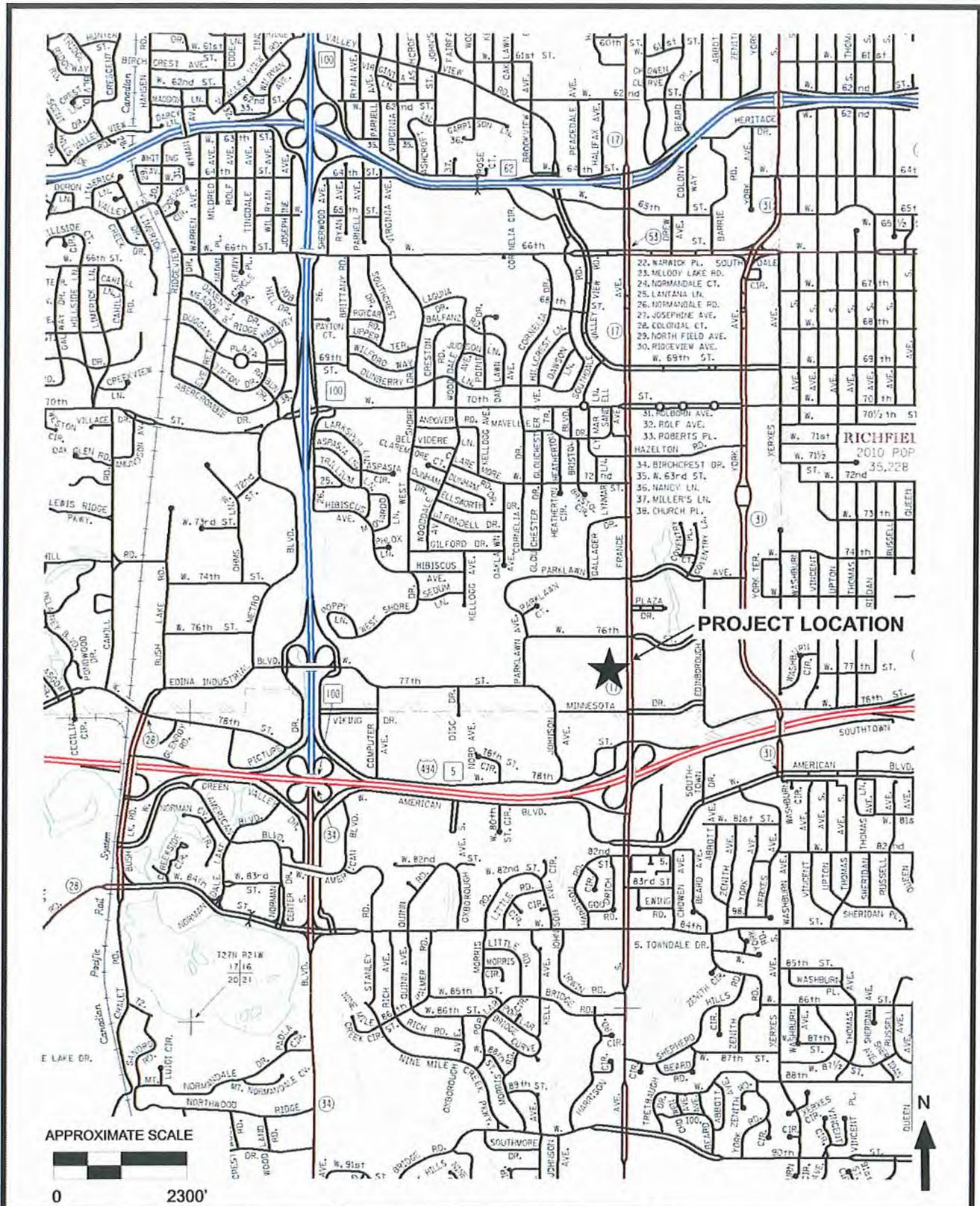
The proposed land uses and sizes are shown in Table 1.

Table 1
Proposed Land Uses and Sizes

Land Use	Size	Unit
Quality restaurant	7,700	SF

SF = square feet

The current site plan is shown in **Figure 2**. The project is expected to be completed by the end of 2015.



TRAFFIC IMPACT STUDY
 FOR DEVELOPMENT AT
 7690 FRANCE AVENUE
 IN EDINA, MN

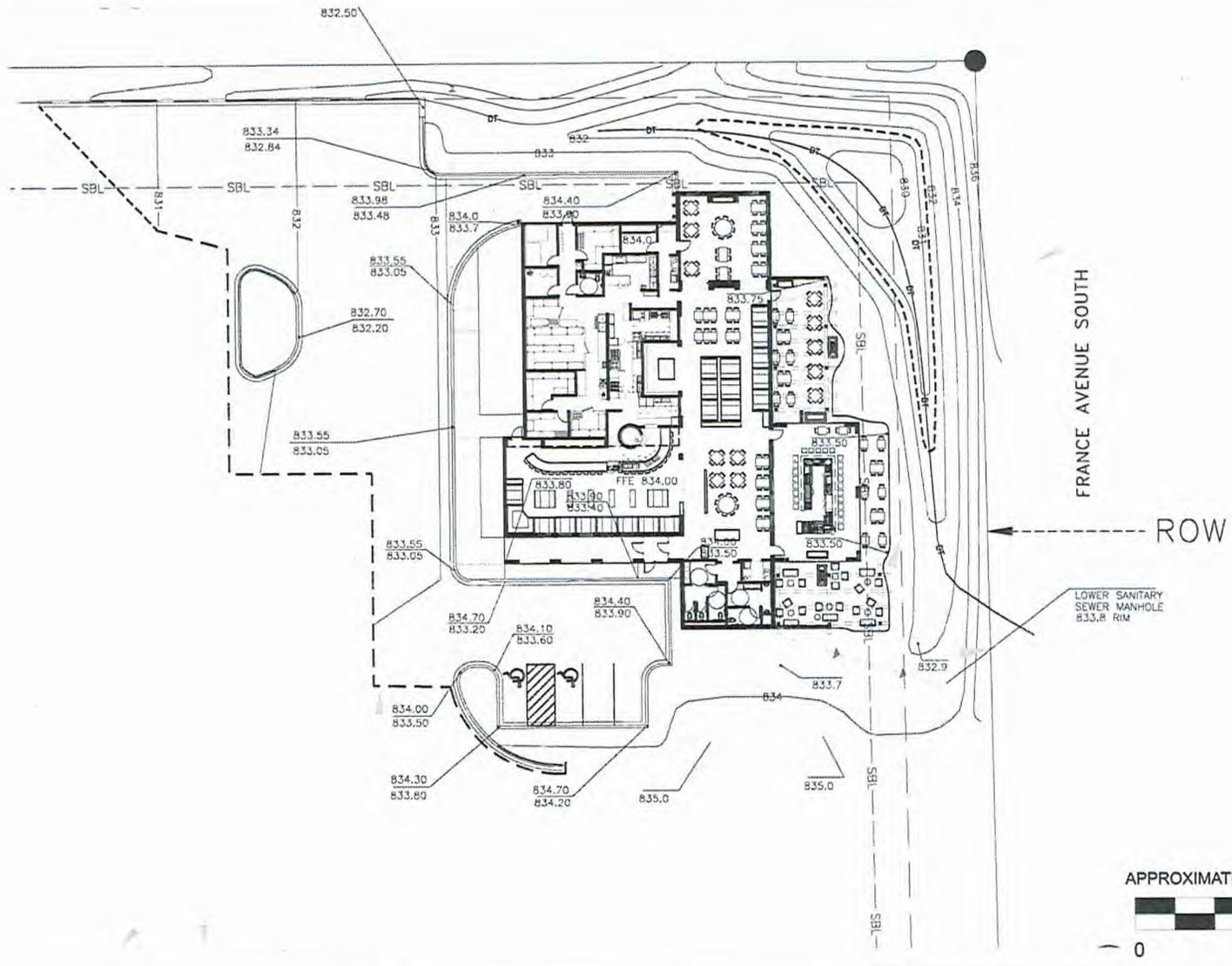
FIGURE 1
PROJECT LOCATION

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TRAFFIC IMPACT STUDY
FOR DEVELOPMENT AT
7690 FRANCE AVENUE
IN EDINA, MN

FIGURE 2
SITE PLAN



3.0 Existing Conditions

The proposed site is currently used for parking and landscaping. The site is bounded by France Avenue on the east and parking lots on the north, south, and west.

Near the site location, France Avenue is an eight lane divided roadway with turn lanes at major intersections. 76th Street is a four lane divided roadway with turn lanes at major intersections. Minnesota Drive is a four lane undivided roadway with turn lanes at major intersections. Johnson Avenue, 77th Street, and Parklawn Avenue are four lane undivided roadways with turn lanes at major intersections. Existing conditions at intersections near the proposed project location are shown in **Figure 3** and described below.

France Avenue/76th Street (traffic signal control)

This intersection has four approaches and is controlled with a traffic signal. The eastbound and westbound approaches provide two left turn lanes, two through lanes, and one right turn lane. The southbound approach provides one left turn lane, three through lanes, and one right turn lane. The northbound approach provides one left turn, three through lanes, and one through/right turn lane.

France Avenue at Site Access (minor street stop sign control)

This intersection provides right turn only access to/from the parking areas on the west side of France Avenue. France Avenue has a raised median at this location, which prohibits left turns in and out. The eastbound approach provides one lane for exiting right turns. The southbound approach provides three through lanes and one through/right turn lane. The northbound approach provides four through lanes.

France Avenue at Minnesota Drive (traffic signal control)

This intersection has four approaches and is controlled with a traffic signal. The eastbound and westbound approaches provide one left turn lane, two through lanes, and one right turn lane. The southbound approach provides one left turn lane, three through lanes, and one through/right turn lane. The northbound approach provides one left turn, three through lanes, and one right turn lane.

Minnesota Drive at Site Access (minor street stop sign control)

This intersection has four approaches and is controlled with stop signs on the northbound and southbound approaches. The eastbound and westbound approaches provides one left turn lane, one through lane, and one through/right turn lane. The northbound and southbound approaches provide one left turn/through/right turn lane.

Johnson Avenue at Minnesota Drive (traffic signal control)

This intersection has four approaches and is controlled with a traffic signal. The eastbound approach provides one left turn/through lane and one through/right turn lane. The westbound approach provides one left turn lane, one through lane, and one right turn lane. The southbound approach provides one left turn/through lane and one through/right turn lane. The northbound approach provides one left turn lane, one through lane, and one right turn lane.

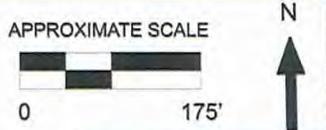
77th Street at Site Access (minor street stop sign control)

This intersection has four approaches and is controlled with stop signs on the eastbound and westbound approaches. The eastbound and westbound approaches provide one left turn/through/right turn lane. The northbound and southbound approaches provide one left turn lane and one through/right turn lane.

77th Street at Parklawn Avenue (traffic signal control)

This intersection has four approaches and is controlled with a traffic signal. The eastbound approach provides two left turn lanes and one through/right turn lane. The westbound approach provides one left turn lane, one through lane, and one through/right turn lane. The southbound approach provides one left turn lane, one through/right turn lane, and right turn lane. The northbound approach provides one left turn/through/right turn lane.

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IN EDINA, MN

FIGURE 3
EXISTING CONDITIONS

4.0 Traffic Forecasts

Traffic Forecast Scenarios

To adequately address the impacts of the proposed project, forecasts and analyses were completed for the year 2016. Specifically, weekday a.m. and p.m. peak hour traffic forecasts were completed for the following scenarios:

- *2014 Existing.* Turn movement volumes collected in August 2014 were used for existing conditions. The existing volume information includes trips generated by uses near the project site.
- *2016 No-Build.* Existing volumes at the subject intersections were increased by 2.0 percent per year to determine 2016 No-Build volumes. The 2.0 percent per year growth rate was based on both recent growth experienced near the site and expected future growth.
- *2016 Build.* Trips generated by the existing office building were removed and trips generated by the proposed uses were added to the 2016 No-Build volumes to determine 2016 Build volumes.

Trip Generation

The expected development trips were calculated based on data presented in *Trip Generation*, Ninth Edition, published by the Institute of Transportation Engineers. These calculations represent gross total trips that will be generated by the proposed development. The resultant trip generation estimates are shown in **Table 4-1**.

Table 4-1: Weekday Trip Generation for Proposed Land Uses

Land Use	ITE Code	Size	Weekday AM Peak Hour			Weekday PM Peak Hour			Weekday Daily
			In	Out	Total	In	Out	Total	Total
Quality restaurant	931	7,700 SF	5	1	6	39	19	58	693

SF=square feet

The a.m. peak hour trip generation assumes the restaurant is not open before 9 a.m. This is typical for this type of use. The trips shown during the a.m. peak hour are for deliveries and employees.

As shown in Table 4-1, the proposed development will add a net total of 6 trips during the a.m. peak hour and 58 trips during the p.m. peak hour.

The total trips can be categorized in the following two trip types:

- *New Trips.* Trips solely to and from the proposed development.
- *Pass-By Trips.* Trips that are attracted from the traffic volume on roadways immediately adjacent to the site.

Trip Distribution Percentages

Trip distribution percentages for the subject development trips were established based on the nearby roadway network, existing and expected future traffic patterns, and location of the subject development in relation to major attractions and population concentrations.

The distribution percentages for new trips generated by the proposed development are as follows:

- 27 percent to/from the north on France Avenue
- 36 percent to/from the south on France Avenue
- 23 percent to/from the west on 77th Street
- 7 percent to/from the east on 76th Street
- 7 percent to/from the east on Minnesota Drive

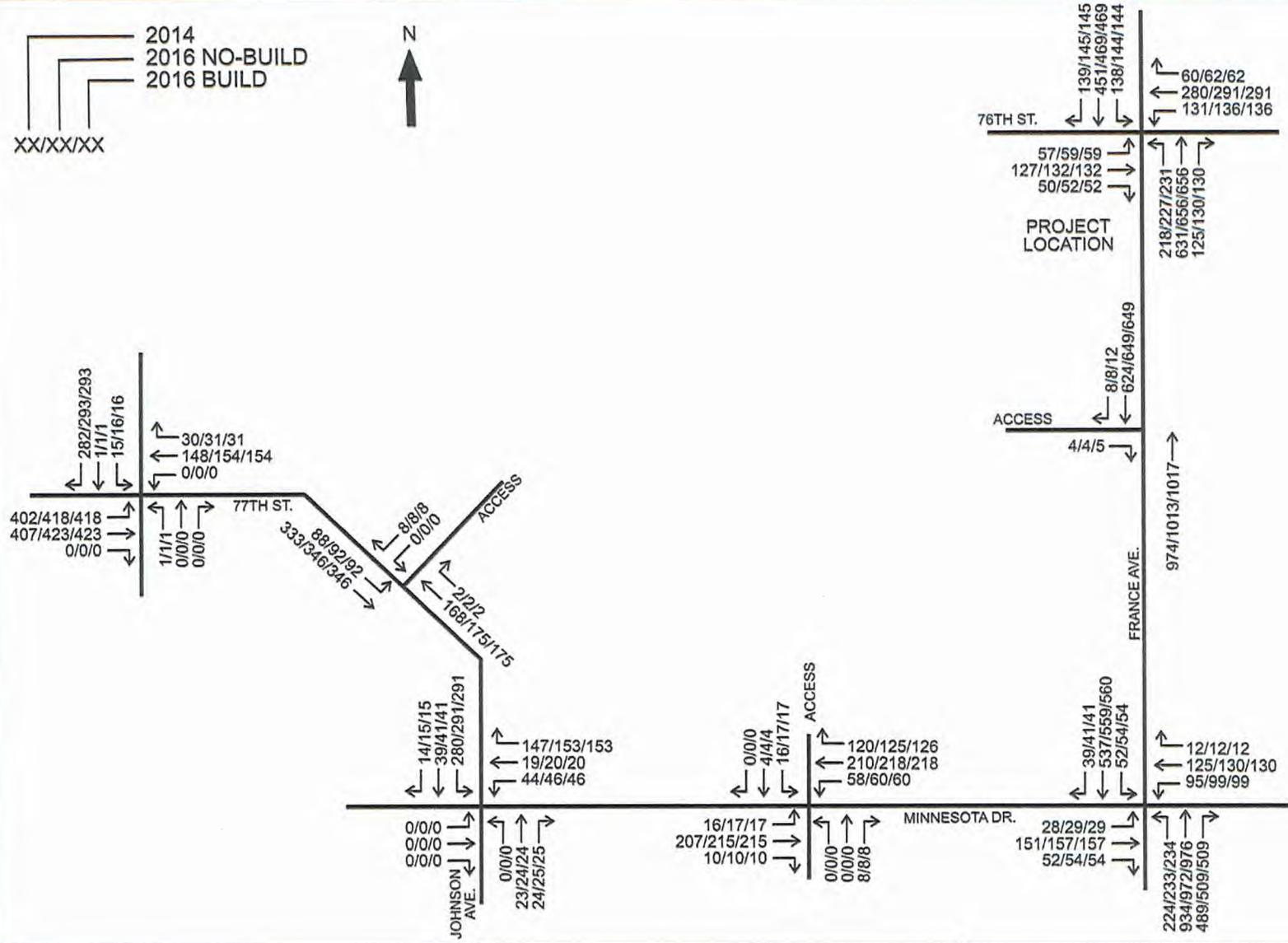
Traffic Volumes

Development trips were assigned to the surrounding roadway network using the preceding trip distribution percentages. Traffic volumes were established for all the forecasting scenarios described earlier during the weekday a.m. and p.m. peak hours. The resultant traffic volumes are presented in **Figures 4 and 5.**

2014
 2016 NO-BUILD
 2016 BUILD
 XX/XX/XX



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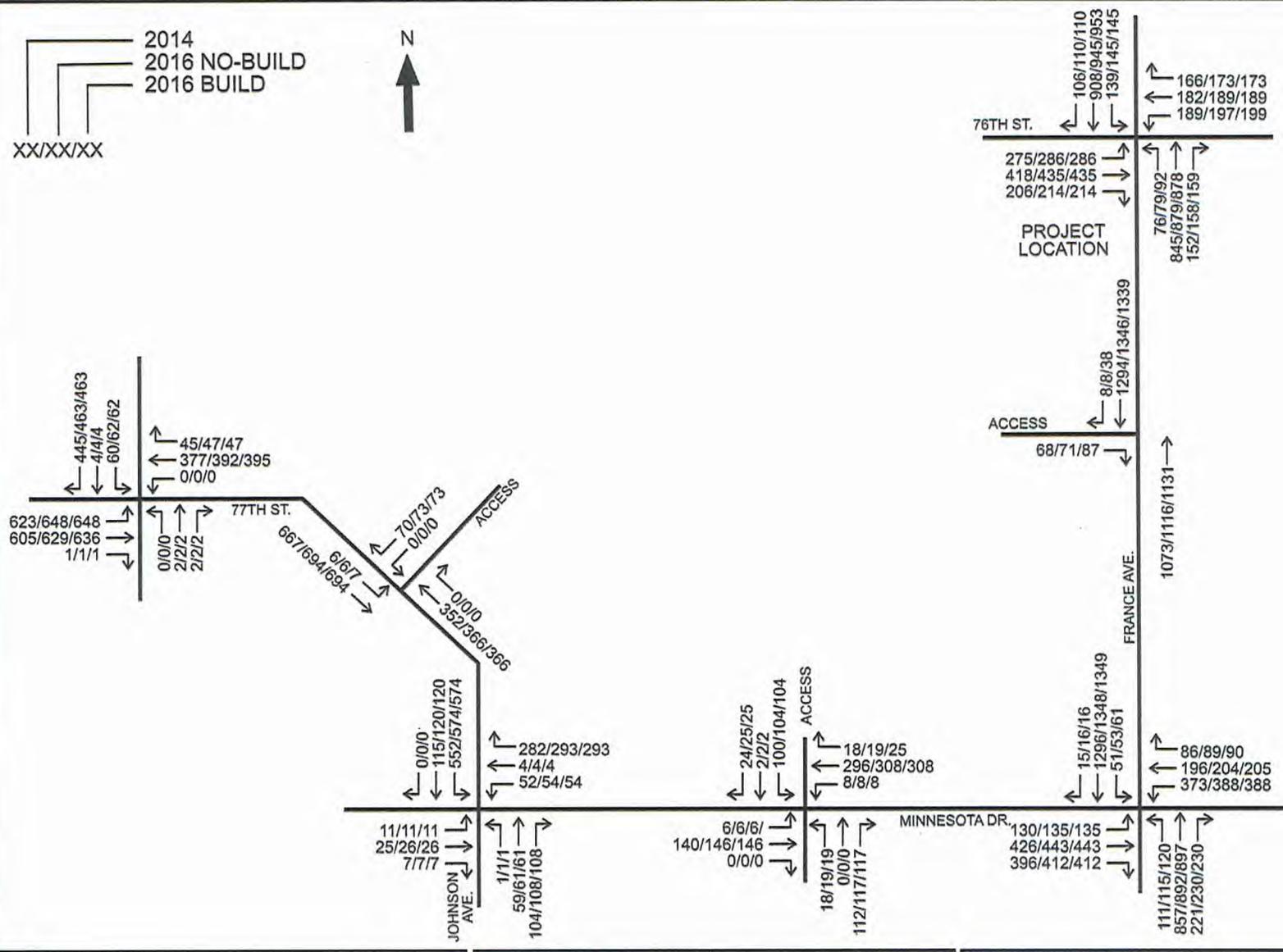

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FIGURE 4
WEEKDAY A.M. PEAK HOUR
TURN MOVEMENT VOLUMES



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FIGURE 5
WEEKDAY P.M. PEAK HOUR
TURN MOVEMENT VOLUMES

5.0 Traffic Analysis

Intersection Level of Service Analysis

Traffic analyses were completed for the subject intersections for all scenarios described earlier during the weekday a.m. and p.m. peak hours using Synchro software. Initial analysis was completed using existing geometrics and intersection control.

Capacity analysis results are presented in terms of level of service (LOS), which is defined in terms of traffic delay at the intersection. LOS ranges from A to F. LOS A represents the best intersection operation, with little delay for each vehicle using the intersection. LOS F represents the worst intersection operation with excessive delay. The following is a detailed description of the conditions described by each LOS designation:

- Level of service A corresponds to a free flow condition with motorists virtually unaffected by the intersection control mechanism. For a signalized or an unsignalized intersection, the average delay per vehicle would be approximately 10 seconds or less.
- Level of service B represents stable flow with a high degree of freedom, but with some influence from the intersection control device and the traffic volumes. For a signalized intersection, the average delay ranges from 10 to 20 seconds. An unsignalized intersection would have delays ranging from 10 to 15 seconds for this level.
- Level of service C depicts a restricted flow which remains stable, but with significant influence from the intersection control device and the traffic volumes. The general level of comfort and convenience changes noticeably at this level. The delay ranges from 20 to 35 seconds for a signalized intersection and from 15 to 25 seconds for an unsignalized intersection at this level.
- Level of service D corresponds to high-density flow in which speed and freedom are significantly restricted. Though traffic flow remains stable, reductions in comfort and convenience are experienced. The control delay for this level is 35 to 55 seconds for a signalized intersection and 25 to 35 seconds for an unsignalized intersection.
- Level of service E represents unstable flow of traffic at or near the capacity of the intersection with poor levels of comfort and convenience. The delay ranges from 55 to 80 seconds for a signalized intersection and from 35 to 50 seconds for an unsignalized intersection at this level.
- Level of service F represents forced flow in which the volume of traffic approaching the intersection exceeds the volume that can be served. Characteristics often experienced include long queues, stop-and-go waves, poor travel times, low comfort and convenience, and increased accident exposure. Delays over 80 seconds for a signalized intersection and over 50 seconds for an unsignalized intersection correspond to this level of service.

The LOS results for the study intersections are described below and shown in **Figures 5 and 6**. All LOS worksheets are included in the Appendix for further detail.

France Avenue/76th Street (traffic signal control)

During the a.m. peak hour under all scenarios, all movements operate at LOS D or better. The overall intersection operates at LOS C.

During the p.m. peak hour under all scenarios, all movements operate at LOS E or better. The overall intersection operates at LOS C.

Traffic generated by the proposed project does not change the level of service of any movement during either peak hour. No improvements are needed at this intersection to accommodate the proposed project.

France Avenue at Site Access (minor street stop sign control)

During the a.m. peak hour under all scenarios, all movements operate at LOS A. The overall intersection operates at LOS A.

During the p.m. peak hour under all scenarios, all movements operate at LOS A. The overall intersection operates at LOS A.

No improvements are needed at this intersection to accommodate the proposed project.

France Avenue at Minnesota Drive (traffic signal control)

During the a.m. peak hour under all scenarios, all movements operate at LOS E or better. The overall intersection operates at LOS B.

During the p.m. peak hour under all scenarios, all movements operate at LOS E or better. The overall intersection operates at LOS D.

Traffic generated by the proposed project does not change the level of service of any movement during either peak hour. No improvements are needed at this intersection to accommodate the proposed project.

Minnesota Drive at Site Access (minor street stop sign control)

During the a.m. peak hour under all scenarios, all movements operate at LOS C or better. The overall intersection operates at LOS A.

During the p.m. peak hour under all scenarios, all movements operate at LOS C or better. The overall intersection operates at LOS A.

No improvements are needed at this intersection to accommodate the proposed project.

Johnson Avenue at Minnesota Drive (traffic signal control)

During the a.m. peak hour under all scenarios, all movements operate at LOS C or better. The overall intersection operates at LOS A.

During the p.m. peak hour under all scenarios, all movements operate at LOS C or better. The overall intersection operates at LOS A.

No improvements are needed at this intersection to accommodate the proposed project.

77th Street at Site Access (minor street stop sign control)

During the a.m. peak hour under all scenarios, all movements operate at LOS A. The overall intersection operates at LOS A.

During the p.m. peak hour under all scenarios, all movements operate at LOS B or better. The overall intersection operates at LOS A.

No improvements are needed at this intersection to accommodate the proposed project.

77th Street at Parklawn Avenue (traffic signal control)

During the a.m. peak hour under all scenarios, all movements operate at LOS D or better. The overall intersection operates at LOS C.

During the p.m. peak hour under all scenarios, all movements operate at LOS D or better. The overall intersection operates at LOS C.

No improvements are needed at this intersection to accommodate the proposed project.

Overall Traffic Impacts

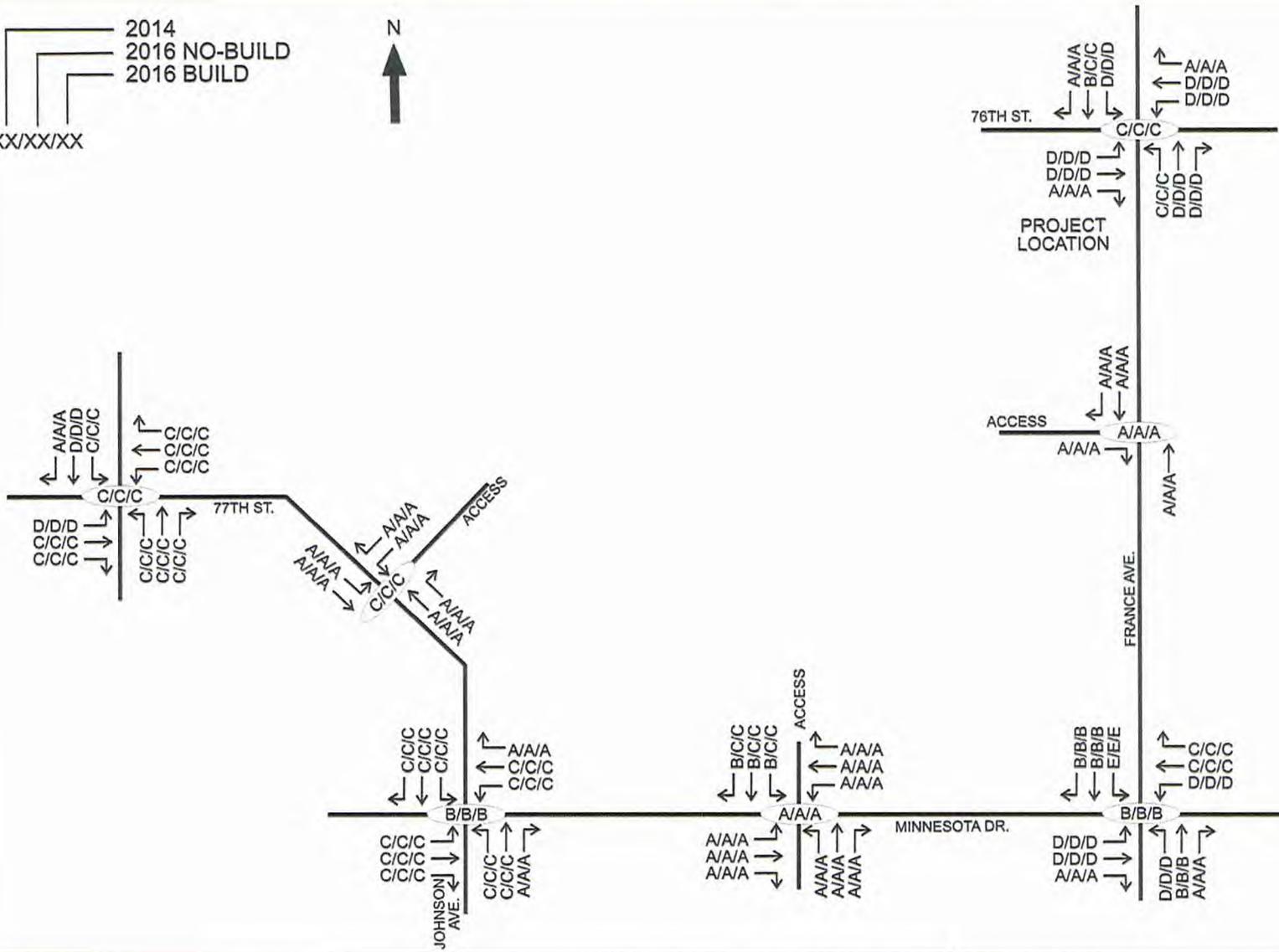
As described above and shown in Figures 5 and 6, the project trips have minimal impact on the overall traffic operations. No improvements are needed to the surrounding street system to accommodate the proposed project.

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2014
 2016 NO-BUILD
 2016 BUILD
 XX/XX/XX



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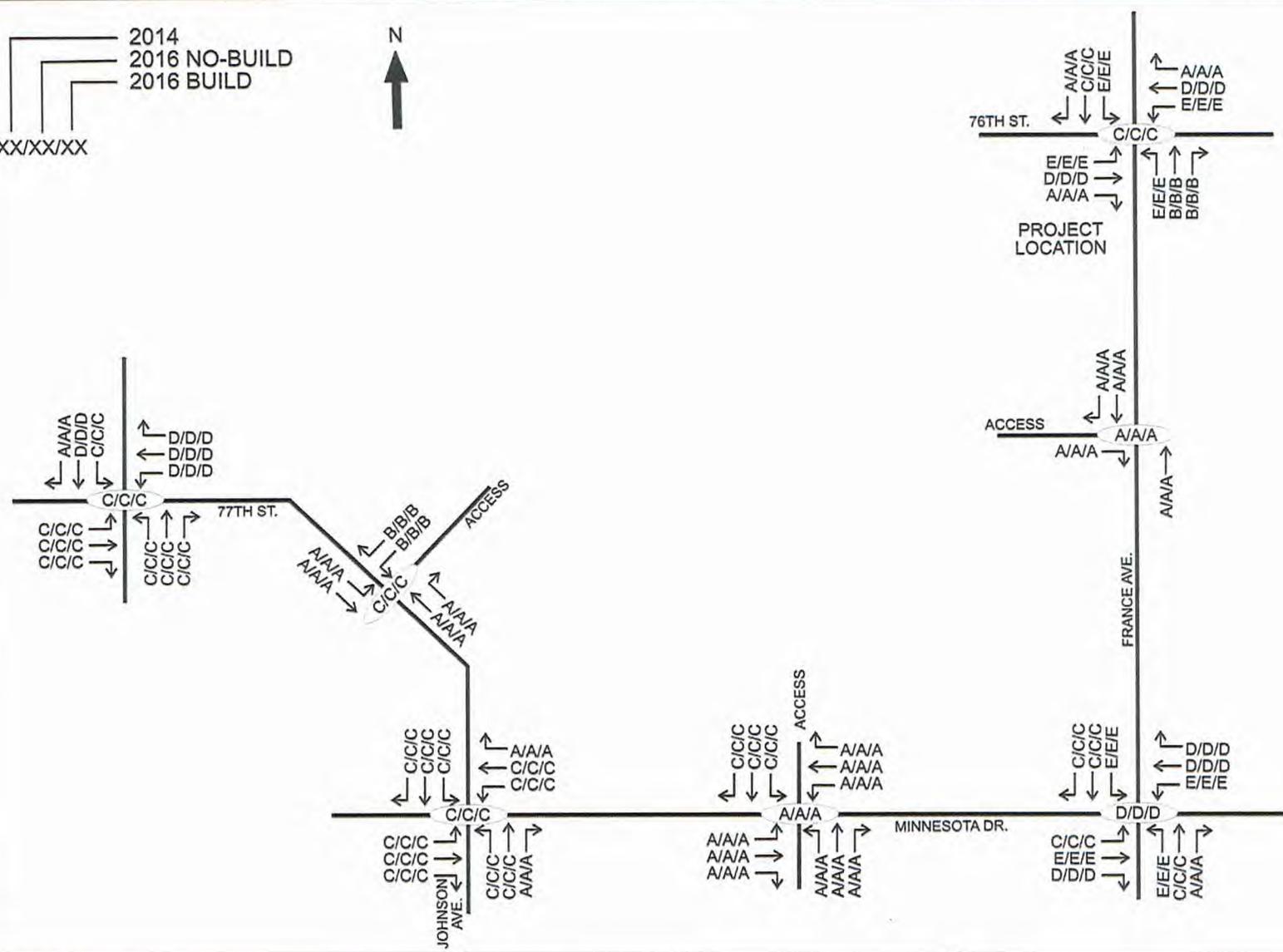



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FIGURE 6
WEEKDAY A.M. PEAK HOUR
LEVEL OF SERVICE RESULTS

2014
 2016 NO-BUILD
 2016 BUILD
 XX/XX/XX



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FIGURE 7
WEEKDAY P.M. PEAK HOUR
LEVEL OF SERVICE RESULTS

6.0 Parking Analysis

Background Information

The existing site provides a large number of surface parking stalls which are utilized for employees of the on-site office buildings. These uses operate from approximately 7 a.m. to 6 p.m. Monday through Friday. There is very little use of the parking areas after 6 p.m.

A total of 1,369 on-site parking spaces are located in four surface parking areas. The proposed project will result in the removal of 40 parking spaces for construction of the new building. After construction of the building, there will be 1,329 parking spaces on-site. The existing parking area was divided into four areas for survey purposes, with each area shown in **Figure 8**. Area A contains 1,002 spaces, Area B 158 spaces, Area C 121 spaces, and Area D 88 spaces.

The proposed project will include 63 reserved parking spaces in Area C. These spaces will be signed for restaurant parking only.

Parking Operation Observations

Parking operations were observed during the 9 a.m. to 8 p.m. time period on a typical weekday in August, 2014. During this time period parking usage varied depending on location. In addition, the entire western portion of Area A is occupied by new cars from local dealerships. The dealerships use this parking lot for new car storage, with cars moved in and out periodically. During the parking survey period, 391 spaces were occupied by new cars.

Existing Parking Usage

Existing parking usage was recorded during the 9 a.m. to 8 p.m. time period on a typical weekday in August, 2014. The results of the parking usage survey are shown in **Tables 6-1**.

**Table 6-1
Existing On-Site Parking Usage**

Time of Day	Area A (1,002 total spaces)			Area B (158 total spaces)		Area C (121 total spaces)		Area D (88 total spaces)		Total Spaces Available
	Spaces used- new cars	Spaces used - employees	Total spaces open	Spaces used	Spaces open	Spaces used	Spaces open	Spaces used	Spaces open	
9:00 am	391	265	346	40	118	84	37	43	45	546
10:00 am	391	289	322	54	104	96	25	63	25	476
11:00 am	391	282	329	62	96	100	21	59	29	475
1:00 pm	391	301	310	54	104	93	28	56	32	474
2:00 pm	391	297	314	63	95	104	17	55	33	459
3:00 pm	391	283	328	60	98	98	23	54	34	483
6:00 pm	391	102	509	25	133	25	96	18	70	808
7:00 pm	391	85	526	24	134	23	98	15	73	831
8:00 pm	391	72	539	20	138	17	104	12	76	857

As shown in Table 6-1, the parking usage peaked at 2 p.m. and steadily declined after 6 p.m. For the overall site, there was a maximum of 857 spaces available at 8 p.m. and a minimum of 459 spaces available at 2 p.m.

Zoning Code Requirement

The City zoning code minimum parking requirement is 1/3 of the maximum seating plus one space per employee during the major shift time. The proposed restaurant contains 242 seats and is expected to have 35-45 employees during the major shift time. This equates to a minimum parking requirement of 116 to 126 spaces.

Institute of Transportation Engineers (ITE) Data Calculations

In addition to the zoning code requirement, parking data from the Institute of Transportation Engineers (ITE) was also used to determine the expected parking demand. As shown in Table 6-1, the on-site parking usage peaked at 2 pm. Data provided in the ITE publication *Parking Generation*, 4th Edition, indicates the parking demand for a quality restaurant peaks at 7:00 p.m. on a non-Friday weekday and 8:00 on a Friday. The non-Friday weekday peak parking demand is 82 spaces, while the Friday peak parking demand is 126 spaces.

Overall Parking Impact

As shown in Table 6-1, the peak demand for existing parking spaces occurred at 2 p.m. during the weekday survey. At 2 p.m., 910 of the on-site parking spaces were used, leaving 459 available. The parking demand greatly decreases after 6 p.m. As described above, the minimum zoning code parking requirement is 116 to 126 spaces and the peak parking demand using ITE data is 126 spaces. As shown in the table, there are adequate spaces available to accommodate these requirements.

The existing office uses peak earlier during the weekday than the expected restaurant peak. These uses are complementary to each other from a parking perspective.

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SEC DETAIL

R.L.S.

TRACT M
OWNER: INREIT PROPERTIES, LLLP

EAST 575.77

N 0°32'48" W 187.10

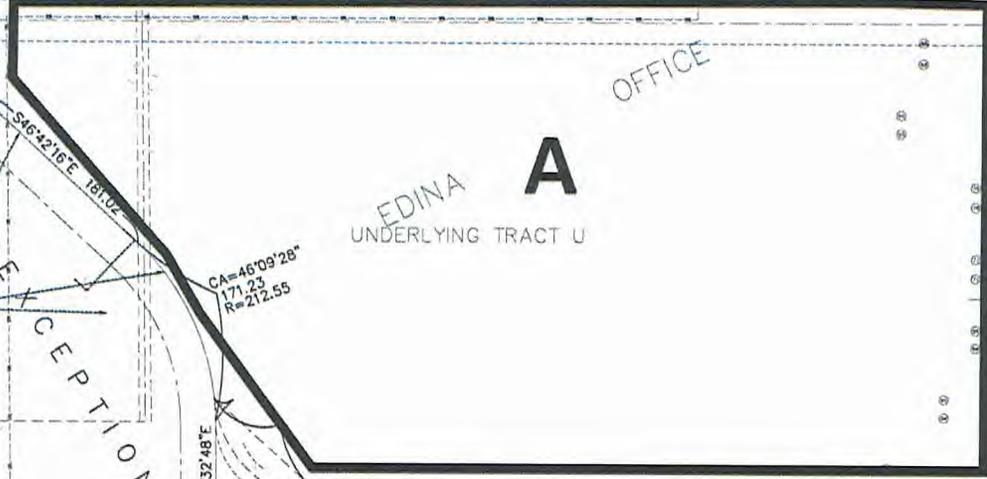
B

C

N 89°53'05" E 851.42

D

446



EXCEPTION

77TH STREET WEST
aka. MINNESOTA DRIVE
(PUBLIC RIGHT OF WAY)
WEST 1412.49 EAST 1216.60



Wenck
Engineers • Scientists

TRAFFIC IMPACT STUDY
FOR DEVELOPMENT AT
7690 FRANCE AVENUE
IN EDINA, MN

FIGURE 8
PARKING SURVEY AREAS

7.0 Conclusions and Recommendations

The conclusions drawn from the information and analyses presented in this report are as follows:

- The proposed development is expected to generate a net total of 6 trips during the a.m. peak hour and 58 trips during the p.m. peak hour.
- Trips generated by the proposed development do not change the level of service of movements at any of the analyzed intersections.
- The project trips have minimal impact on the overall traffic operations. No improvements are needed to the surrounding street system to accommodate the proposed project.
- The existing site provides a large number of surface parking stalls which are utilized for employees of the on-site office buildings. These uses operate from approximately 7 a.m. to 6 p.m. Monday through Friday. There is very little use of the parking areas after 6 p.m.
- The peak demand for existing parking spaces occurred at 2 p.m. during the weekday survey. At 2 p.m., 910 of the on-site parking spaces were used, leaving 459 available. The parking demand greatly decreases after 6 p.m. The minimum Zoning Code parking requirement is 116 to 126 spaces and the peak parking demand using ITE data is 126 spaces. As shown in this report, there are adequate spaces available to accommodate these requirements.

issue, no hearing; the proposed use is allowed in residential zones. Teague agreed, adding the review this evening is to ensure that the plans presented are consistent with the plans approved at preliminary approval.

Motion

Commissioner Platteter moved to recommend final rezoning and final development plan approval based on staff findings and subject to staff conditions. Commissioner Lee seconded the motion. All vote aye; motion carried. 5-0

Commissioner Platteter moved to recommend approval of a zoning ordinance amendment establishing the PUD District based on staff findings to include the revised ordinance language and staff conditions. Commissioner Scherer seconded the motion. All voted aye; motion carried. 5-0

Commissioner Platteter asked Planner Teague to clarify for the Commission the revision to the ordinance. Planner Teague explained that the revision would tie the parking stall requirements for the site to an office use.

PC
10/8/14

D. Preliminary Rezoning & Preliminary Development Plan. Frauenshuh; 7700 France Avenue, Edina, MN.

Planner Presentation

Planner Teague informed the Commission Frauenshuh Companies is proposing to develop the northeast corner of 7700 France with a free standing, 7,000 square foot seafood restaurant. The site is 17 acres in size and contains a six-story 275,000 square foot office building and a 7,623 square foot single-story office building (bank) in the southeast corner of the site.

Teague reported the restaurant would be designed for seating up to 242 people, and would provide 63 dedicated parking spaces in addition to the shared parking with the office building. The proposed building would be made of brick, EIFS, cedar, glass and metal panels. An area for outdoor dining is proposed along France Avenue.

Teague explained the primary issue with this request is that a free-standing restaurant is not a permitted use in the POD-2 zoning district. A restaurant is a permitted accessory use within an office building. The applicant went through the sketch plan process with this request in 2012. Both the Planning Commission and City Council suggested that PUD rezoning was the best way to approach the use on the site. Continuing, Teague stated to accommodate the request a Preliminary Rezoning from POD-2, Planned Office

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District to PUD, Planned Unit Development; and Preliminary Development Plan is required.

Teague noted the “preliminary” review is the first step of a two-step process of City review. Should these “preliminary” requests be approved by the City Council; the second step would be Final Rezoning to PUD and Final Site Plan review which would again require review by both the Planning Commission and City Council.

Planner Teague stated that staff believes that the PUD is appropriate for the site for the following reasons:

1. Subject to enhancements to the site plan, the proposal could meet the City’s criteria for PUD zoning. In summary the PUD zoning would:
 - a. Provide a mixture of use within the area/site by allowing a free standing restaurant to be located on the subject site.
 - b. Create a pedestrian friendly development with a requirement to construct a boulevard style sidewalk along France Avenue and provide a pedestrian connection from the restaurant to the sidewalk. In addition, a pedestrian connection should also be required from the existing building to the restaurant. Detailed plans on how these sidewalks would be constructed should be submitted as part of the final development plan application.
2. The proposed uses would fit in to the neighborhood. As mentioned, this site is guided in the OR, Office Residential which encourages limited retail and services uses and a mix of land uses.
3. The existing roadways would support the project. Wenck Associates conducted a traffic impact study, and concluded that the proposed development could be supported by the existing roads.
4. The proposed project would meet the following goals and policies of the Comprehensive Plan:
 - a. Movement Patterns.
 - Provide sidewalks along primary streets and connections to adjacent neighborhoods along secondary streets or walkways.
 - A Pedestrian-Friendly Environment.
 - b. Encourage infill/redevelopment opportunities that optimize use of city infrastructure and that complement area, neighborhood, and/or corridor context and character.
 - c. Support and enhance commercial areas that serve the neighborhoods, the city, and the larger region.
 - d. Increase mixed use development where supported by adequate infrastructure to minimize traffic congestion, support transit, and diversify the tax base.
 - e. Increase pedestrian and bicycling opportunities and connections between neighborhoods, and with other communities, to improve transportation infrastructure and reduce dependence on the car.
 - f. Buildings should be placed in appropriate proximity to streets to create pedestrian scale. Buildings “step down” at boundaries with lower-density districts and upper stories “step back” from street.

Teague concluded staff recommends approval subject to the following findings:

1. The project would introduce a use that would fit into the area, and provide a service for local employees and nearby residents.
2. With adequate pedestrian connections and facilities, the project would create a pedestrian friendly development which would encourage walking in the district.
3. The PUD would ensure that the building proposed would be the only building built on the site, unless an amendment to the PUD is approved by City Council.
4. The existing roadways would support the project. Wenck 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. Movement Patterns.
 - Provide sidewalks along primary streets and connections to adjacent neighborhoods along secondary streets or walkways.
 - A Pedestrian-Friendly Environment.
 - b. Encourage infill/redevelopment opportunities that optimize use of city infrastructure and that complement area, neighborhood, and/or corridor context and character.
 - c. Support and enhance commercial areas that serve the neighborhoods, the city, and the larger region.
 - d. Increase mixed use development where supported by adequate infrastructure to minimize traffic congestion, support transit, and diversify the tax base.
 - e. Increase pedestrian and bicycling opportunities and connections between neighborhoods, and with other communities, to improve transportation infrastructure and reduce dependence on the car.
 - f. Buildings should be placed in appropriate proximity to streets to create pedestrian scale. Buildings “step down” at boundaries with lower-density districts and upper stories “step back” from street.

Approval is subject to the following Conditions:

1. The Final Development Plans must be generally consistent with the Preliminary Development Plans dated September 8, 2014.
2. The Final Site Plan must include a boulevard style sidewalk along France and sidewalk connections from the existing building to the restaurant and from the boulevard sidewalk to the building.
3. The Landscape Plan should be revised to show the specific trees that would be removed, and consider additional planting and/or saving trees along the north lot line to provide screening of the loading area.
4. The Final Lighting Plan must meet all minimum landscaping requirements per Section 850.04 of the Zoning Ordinance.
5. Submittal of a complete sign plan for the site as part of the Final Development Plan application.

6. Compliance with all of the conditions outlined in the director of engineering's memo dated October 1, 2014.
7. Final Rezoning is subject to a Zoning Ordinance Amendment creating the PUD, Planned Unit Development for this site.

Appearing for the Applicant

Steve Faber, Frauenshuh and Alan Ackerberg, Parasole

Applicant Presentation

Mr. Faber addressed the Commission highlighting architectural features of the proposed restaurant including exterior building materials. Faber reminded the Commission a couple years ago Frauenshuh brought before the Commission/Council a sketch plan concept for a free standing restaurant at 7700 France Avenue. Faber said the result of the sketch plan review was favorable and at this time there is an interested tenant (Parasole). Faber introduced Alan Ackerberg with Parasole to speak to the proposal.

Mr. Ackerberg told the Commission Parasole would be the restaurant tenant and Frauenshuh would own the property. Ackerberg noted Parasole will have input on the size of the building, its configuration and materials used. Continuing, Ackerberg reported the restaurant would be a seafood establishment (Sea Change), adding he was very excited about the project.

Ackerberg added with regard to staff conditions he has no issue with the condition of a sidewalk connection from the building to France Avenue; however, would like to defer the larger section of the sidewalk until the site is redeveloped to its' fullest potential.

Concluding, Ackerberg said bike racks would be added and additional screening would be added to the north side of the proposed building.

Discussion

Commissioner Lee questioned the use of EIFS and asked where it's going. Farber responded that EIFS would be used on the north elevation where the kitchen is located; with graphics he indicated those areas. Lee noted that at sketch plan review the materials indicated in this area was brick. Mr. Faber said he would be willing to review the use of EIFS vs. brick. Faber said another point of interest is landscaping, adding it is their intent to plant a line of trees along the north boundary,

A discussion ensued with Commissioners commenting on the difference in building materials between sketch plan review and the request before them. It was pointed out by the applicant that sketch plan was conceptual; there was no tenant at that time. The goal of the previous sketch plan was to gauge the City's position on allowing a freestanding restaurant at this location.

Commissioner Platteter inquired about the proposed outdoor seating. Mr. Ackerberg informed the Commission that three outdoor dining zones are anticipated. One is an outdoor bar lounge area similar to what's found on Tavern on France. Ackerberg said that their goal is to integrate the eating areas with the street. He noted the outdoor seating would be apparent from the street and landscaping would be used throughout the "front yard" outdoor seating areas of the site. Ackerberg said it's important to have and present connectivity to the sidewalk and street.

Chair Staunton said he agrees it's a good move to engage the street; not only for vehicular traffic but for pedestrian traffic as well.

Commissioner Platteter observed this site contains a lot of concrete/parking spaces and questioned if more parking was added for the project. Mr. Faber responded more parking wasn't added; however, with the new building the parking was reconfigured to include a valet service area. Continuing, Platteter commented what's nice about this use is the cross hours. He pointed out a majority of parking would occur during the evening and weekend hours when the office building would be mostly vacant.

Chair Staunton opened the public hearing.

Public Testimony

Kristie Bohn Berman/Spartan Nash, 7600 France, reported her company has a concern if parking isn't adequate visitors to the new restaurant may choose to park in their parking lot. Bohn-Berman added additional landscaping would also be of benefit.

It was suggested by the Commission that signage could be posted to discourage cross-over parking.

Mr. Faber pointed out with graphics there is a berm and grade change between properties.

Discussion

A discussion ensued on the importance of continuing with the boulevard style sidewalk into and adjacent to the site. Commissioners wanted assurances the restaurant would engage both vehicular and pedestrian traffic. Commissioners also discussed the significance of the access into the site from West 76th Street and the importance of the north building wall, materials used and patio engagement.

Commissioner Lee commented whether it's at the preliminary or final stage the tone is set, adding in her opinion what was established at sketch plan review was the marker. Lee said she is uncomfortable always adding so many conditions to a land use and development project/request. She acknowledged she doesn't want to be too prescriptive; however, preliminary should "have" more teeth. Lee concluded and

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suggested that the applicant postpone their request to the next meeting of the Planning Commission. This time could be used to provide the Commission a better understanding of what you want and your intent.

Commissioner Scherer said she appreciates the concerns expressed; however, feels comfortable at the preliminary level adding additional conditions.

Motion

Commissioner Platteter moved to recommend preliminary rezoning and preliminary development plan approval based on staff findings and subject to staff conditions including the following conditions:

- 1. Install a boulevard style sidewalk between France Avenue and the subject building. He further suggested that the applicant review Edina's "Living Streets" policy. The applicant is to work with staff on both sidewalk and plantings on the right-of-way;**
- 2. Add bike racks; suggesting they are not placed at the rear of the building;**
- 3. Add additional landscaping on the north side of the proposed building site and the northeast corner**
- 4. Remember that this building is 4-sided architecture and all finishes should be consistent and complimentary. Ensure this building is architecturally and material pleasing on all sides.**

Commissioner Scherer seconded the motion and offered an amendment to the motion that requires the applicant to bring back a full sidewalk and boulevard tree/vegetation plan. Commissioner Platteter accepted the offered amendment to the motion. Ayes; Scherer, Platteter, Staunton, Nays; Lee, Hobbs. Motion carried 3-2.

Minutes/Edina City Council/October 21, 2014

Erik Scheurle, 2007 61st Street West, addressed the Council.

Member Swenson made a motion, seconded by Member Sprague, to close the public hearing.

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland
Motion carried.

Attorney Knutson addressed issues raised during public testimony, indicating that the Council was not adopting the ordinance tonight, but instead granting first reading. He advised there were no legal issues approving first reading tonight.

Mr. Teague addressed issues raised during public testimony, indicating that the deadline for City Council action was October 22, 2014, but an extension had been granted from Beacon through November 19, 2014.

Member Swenson made a motion to grant First Reading to Ordinance No. 2014-17, amending the Zoning Ordinance to Establish the PUD-7, Planned Unit Development-7 District at 3330 66th Street. Member Sprague seconded the motion.

Rollcall:
Ayes: Bennett, Brindle, Sprague, Swenson, Hovland
Motion carried.

VI.B. PRELIMINARY REZONING FROM POD-2 TO PUD AND PRELIMINARY DEVELOPMENT PLAN, FRAUENSHUH COMMERCIAL REAL ESTATE GROUP, 7700 FRANCE AVENUE – RESOLUTION NO. 2014-116 ADOPTED

Community Development Director Presentation

Mr. Teague presented the proposal from Frauenshuh Companies to develop the northeast corner of 7700 France Avenue with a free standing, 7,000 square foot seafood restaurant. The restaurant would be designed for up to 242 people and provide 63 dedicated parking spaces in addition to the shared parking with the office building. The primary issue was that a freestanding restaurant was not a permitted use in the Planned Office District-2 zoning district but a restaurant is allowed in POD-2 as an accessory use within an office building. Both the Planning Commission and City Council suggested that Planned Unit Development rezoning was the best way to approach the use on the site. The preliminary review was the first step of a two-step process of City review and both staff and the Planning Commission recommended approval.

Proponent Presentation

Steve Faber, Frauenshuh, shared the lay out of the restaurant, reviewed the materials, and discussed connectivity with sidewalk and main office building.

Alan Ackerberg, Parasole, shared that the company had four restaurants in Edina and that it would be a mid-priced seafood restaurant.

Mr. Teague answered the Council's question relating to a bus stop indicating that staff would determine whether there was a bus stop at that location. Mr. Faber agreed that if there was a bus stop, the sidewalk would continue to France Avenue.

Mayor Hovland opened the public hearing at 8:27 p.m.

Public Testimony

No one appeared to comment.

Member Swenson made a motion, seconded by Member Sprague, to close the public hearing.

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland
Motion carried.

The Council discussed sustainability and making the sidewalk and restaurant access more pedestrian friendly. **Member Brindle introduced and moved adoption of Resolution No. 2014-116, approving Preliminary Rezoning from POD-2, Planned Office District-2, to PUD, Planned Unit Development and Preliminary Development Plan for 7700 France Avenue, subject to the following conditions:**

- 1. The Final Development Plans must be generally consistent with the Preliminary Development Plans dated September 8, 2014.**
- 2. The Final Site Plan must include a boulevard style sidewalk along France and sidewalk connections from the existing building to the restaurant and from the boulevard sidewalk to the building.**
- 3. The Landscape Plan should be revised to show the specific trees that would be removed, and consider additional planting and/or saving trees along the north lot line to provide screening of the loading area.**
- 4. The Final Lighting Plan must meet all minimum landscaping requirements per Section 36-1260 of the Zoning Ordinance.**
- 5. Submittal of a complete sign plan for the site as part of the Final Development Plan application.**
- 6. Compliance with all of the conditions outlined in the director of engineering's memo dated October 1, 2014.**
- 7. Final Rezoning is subject to a Zoning Ordinance Amendment creating the PUD, Planned Unit Development for this site.**
- 8. Bike racks must be located on the site near main entrances.**
- 9. Building shall be 4-sided architecture with all finishes consistent and complimentary.**

Member Swenson seconded the motion.

Rollcall:

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland
Motion carried.

VI.C. CONDITIONAL USE PERMIT, CHAD AND JENNIFER HELMER, 5808 CREEK VALLEY ROAD – RESOLUTION NO. 2014-117 ADOPTED

Assistant Planner Presentation

Assistant Planner Aaker presented the request for a Conditional Use Permit at 5808 Creek Valley Road to allow the first floor elevation of the new home to exceed the first floor elevation of the existing home by more than one foot. The applicant was proposing to tear down and rebuild on the property and to raise the first floor elevation 1.5 feet above the existing first floor elevation to conform to the Federal Emergency Management Agency flood elevations and the Nine Mile Creek Watershed District's approval for a new basement elevation with a corresponding ceiling height of slightly over 8 feet. The Planning Commission unanimously recommended approval on October 8, 2014.

Mr. Millner answered questions from the Council, indicating that the basement was rising, but the grade was changing minimally. Two rain gardens would address the increased volume from the roof and the flow would continue to drain towards the back of the home and the backyard.

Proponent Presentation

Steve Schwieters, Wooddale Builders, answered questions of the Council concerning storm water treatment. He explained that Wooddale had hired Hedlund Engineering to help meet all the requirements of the City and that all down spouts would be catch basined into specific areas.

Mayor Hovland opened the public hearing at 8:49 p.m.

Public Testimony

Carol Deming, 7027 McCauley Trail South, addressed the Council.



DATE: May 8, 2015
TO: Cary Teague – Planning Director
CC: Chad Millner – City Engineer
FROM: Ross Bintner P.E. - Environmental Engineer
RE: **7690 France Avenue – Development Review**

The Engineering Department has reviewed the subject property for street and utility connections, grading, storm water, erosion and sediment control.

1. City Standard Plates available here: http://edinamn.gov/index.php?section=construction_standards.
2. A separate permit is required from Nine Mile Creek Watershed District: www.ninemilecreek.org.
3. Provide an easement exhibit for a 20 foot easement will be needed along France Avenue for access to public utilities and sidewalk.

Survey

4. No comments.

Soils

5. Submit soils, soil boring and geotechnical report.

Details

6. No comments.

Traffic and Street

7. Remove existing sidewalk length of restaurant parcel and provide a minimum eight foot boulevard with a six foot sidewalk.

Sanitary and Water Utilities

8. Installed fire hydrant on northeast corner of lot.
9. Note private or public ownership of existing and proposed utilities.

Storm Water Utility

10. Provide hydraulic and hydrology calculations that meet Nine Mile Creek Watershed District standards. Capacity is available in public stormwater system from SP_11 subwatershed, downstream of project.
11. Note ownership and provide copies of maintenance agreement for private stormwater systems.

Grading, Erosion and Sediment Control

12. Identify pollution prevention techniques that will be used in the case of temporary pumped discharge.

Other Agency Coordination

13. Nine Mile Creek Watershed permit is required. MDH, MPCA and MCES permits may be required.