

REPORT / RECOMMENDATION



To: MAYOR AND COUNCIL

Agenda Item #: VIII.D.

From: Cary Teague, Community Development Director

Action

Discussion

Date: December 16, 2014

Information

Subject: Comprehensive Plan Amendments For Building Height, Density And Floor Area Ratio;
Preliminary Rezoning and Preliminary Development Plan , 7200 France Avenue, 7200 LLC,
Resolution No. 2014-150, & Resolution No. 2014-151

Action Requested:

Adopt Resolution No. 2014-150, approving the Comprehensive Plan Amendments.

Adopt Resolution No. 2014-151, approving the Preliminary Rezoning & Preliminary Development Plan.

Information/Background:
(Deadline - February 3, 2015)

As requested by the City Council, staff has drafted resolutions for approval of the Comprehensive Plan Amendment and Preliminary Rezoning. The conditions that were recommended by the City Council have been incorporated into the approving resolutions.

In regard to requiring access off France and no access off 72nd; staff met with Hennepin County Transportation staff. The staff reiterated that they would not support access to the site off France Avenue. They added that even if the applicant acquired the property to the south and a combined access were proposed, they would not support that alternative either; the County staff believed that plan would make France the traffic situation worse and less safe on France. The County staff recommended three alternatives. (See attached.) Alternative B is the most effective method to address concerns of the residents in the Cornelia area to the west. It proposes to cul-de-sac 72nd Street at the west end of the development. Residential traffic is directed to the north to Hazelton Road, and traffic for the project can only access France off 72nd Street. Direct access is also eliminated off France, which would improve safety on France and avoid pedestrian access conflicts with cars turning into the development.

Project Background.

The applicant, 7200 LLC is requesting to redevelop the property at 7200 France. The proposal is to tear down the existing office building on the site, and redevelop it with a four and five-story mixed use development project that would include the following:

- 160 unit luxury apartment, 32 units of which would be for affordable housing.
- 20,000 square feet of retail space including two restaurants and retail/office space.
- A two-level, 500 stall underground parking ramp.

The retail space would be located on the France Avenue side of the project. Access to the retail space would be off France Avenue. Access to the residential use would be off 72nd Street. The existing vegetation and trees on the west side of the site would remain to provide screening from the residential area to the west. (See applicant narrative and plans on pages A13 – A56 in the Planning Commission Staff Report and in the attached development plan book.)

To accommodate the request, three amendments to the Comprehensive Plan are required:

- Building Height – from 4 stories and 48 feet to 5 stories and 63 feet.
- Housing Density – from 30 units per acre to 50 units per acre.
- Floor Area Ratio – from .5 to 1.49.

In addition, the following land use applications are requested:

- Preliminary Rezoning from POD-1, Planned Office District to PUD, Planned Unit Development; and
- Preliminary Development Plan.

This “preliminary” review is the first step of a two-step process of City review. Should the Comprehensive Plan Amendment and the Preliminary Rezoning 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. A Zoning Ordinance Amendment to establish the PUD District would be included in the second step.

ATTACHMENTS:

- Resolution No. 2014-150
- Resolution No. 2014-151



RESOLUTION NO. 2014-150
RESOLUTION APPROVING A COMPREHENSIVE PLAN AMENDMENT
REGARDING THE OR, OFFICE RESIDENTIAL DISTRICT REGARDING
HOUSING DENSITY, BUILDING HEIGHT
AND FLOOR AREA RATIO

Section 1. BACKGROUND.

1.01 7200 France LLC, is requesting to redevelop the property at 7200 France. The proposal is to tear down the existing office building on the site, and redevelop it with a four and five-story mixed use development project that would include the following:

- 160 unit luxury apartment, 32 units of which would be for affordable housing.
- 20,000 square feet of retail space including two restaurants and retail/office space.
- A two-level, 500 stall underground parking ramp.

The retail space would be located on the France Avenue side of the project. Access to the retail space would be off France Avenue. Access to the residential use would be off 72nd Street. The existing vegetation and trees on the west side of the site would remain to provide screening from the residential area to the west.

1.02 To accommodate the request, three amendments to the Comprehensive Plan are required within the OR, Office Residential District:

- Building Height - from 4 stories and 48 feet to 5 stories and 63 feet.
- Housing Density - from 30 units per acre to 50 units per acre.
- Floor Area Ratio - from .5 to 1.49.

1.03 On November 12, 2014, the Planning Commission recommended denial of the Comprehensive Plan Amendments. Vote: 8 Ayes, 0 Nays.

1.04 On December 2, 2014, the City Council held a public hearing and authorized staff to prepare findings and conditions to approve the Comprehensive Plan. Vote: 4 Ayes, and 1 Nay.

Section 2. FINDINGS

2.01 Approval is subject to the following findings:

1. Affordable housing is identified as a need in the Comprehensive Plan; and the proposed amendment would assist the City in meeting its established affordable housing goal with

the Met Council of providing 212 new affordable housing units by the year 2020. This project would include 32 new affordable housing units (20% of the projects units) toward that goal.

2. 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 subject to conditions.
3. Wenck and Associates found that a residential development at the proposed density of 50 units an acre would generate fewer trips than would a City Code compliant medical office facility on a 3.5 acre property. Therefore, generally housing would have less impact on roads than would medical office.
4. The proposed uses are consistent with the Comprehensive Plan. The site is guided in the Comprehensive Plan as "Office Residential - OR," allows multiple family residential development with limited retail.
5. Podium height would be used on both France and from the residential area to west. Podium height is encouraged in the Comprehensive Plan.
6. The proposed uses would fit in to the neighborhood. As mentioned, this site is guided OR, Office Residential which encourages mixing land uses, including limited retail and multiple family residential, on one site.
7. Access to a project with this type of density should occur off of France Avenue, or a local street that serves high density residential, office, retail, or industrial uses.

Section 3. APPROVAL

NOW THEREFORE, be it resolved by City Council of the City of Edina, Minnesota as follows:

- 3.01 The following Comprehensive Plan Amendments are approved subject to Met Council approval:

A. Future Land Use Categories.

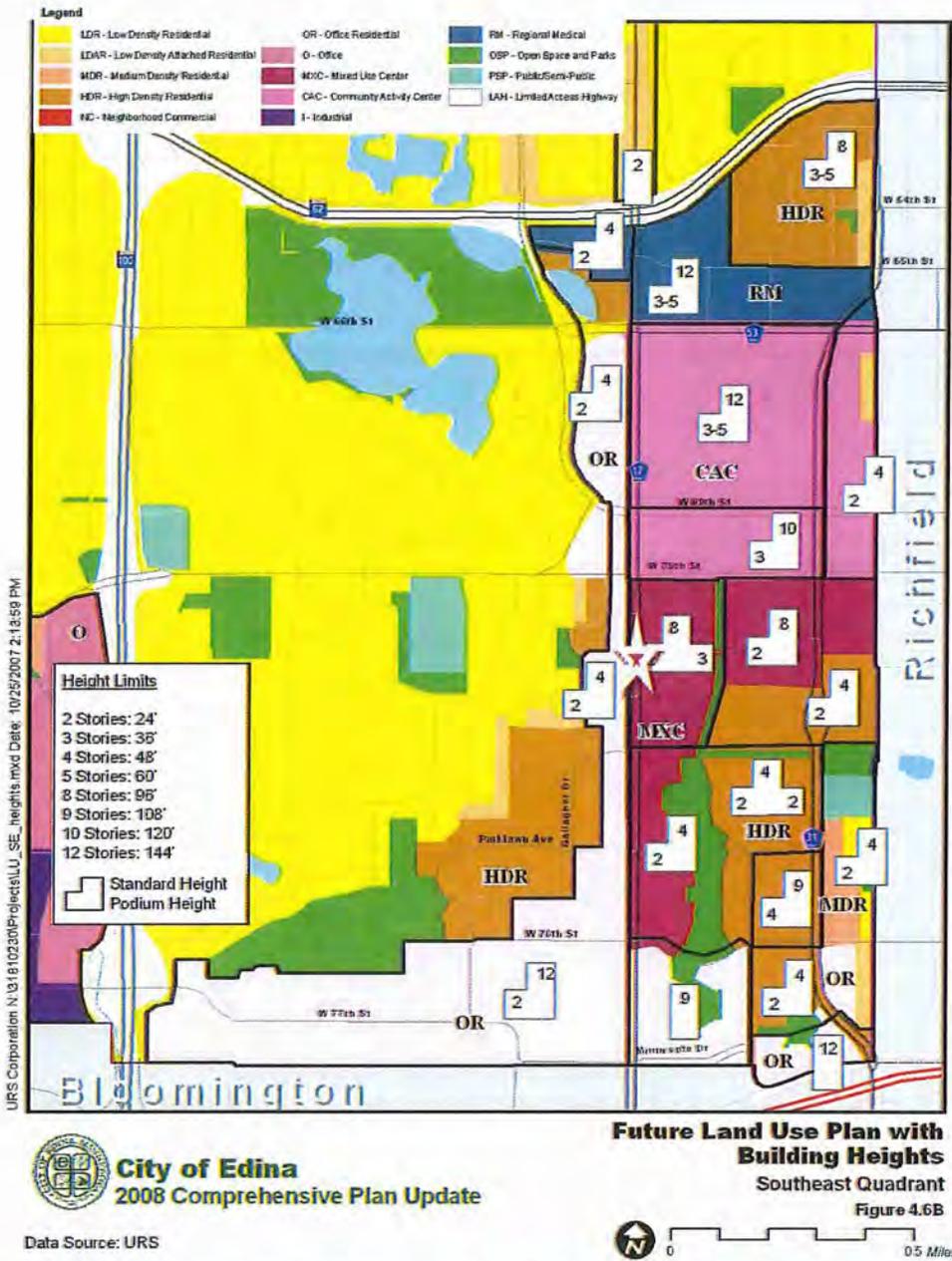
The "Development Guidelines" in the table below are intended to highlight important design

considerations for each land use category, but are not regulatory in nature.

Nonresidential and Mixed Use Categories	Description, Land Uses	Development Guidelines	Density Guidelines
<p>OR Office-Residential No current examples in City. Potential examples include Pentagon Park area and other I-494 corridor locations</p>	<p>Transitional areas along major thoroughfares or between higher-intensity districts and residential districts. Many existing highway-oriented commercial areas are anticipated to transition to this more mixed-use character.</p> <p>Primary uses are offices, attached or multifamily housing.</p> <p>Secondary uses: Limited retail and service uses (not including “big box” retail), limited industrial (fully enclosed), institutional uses, parks and open space. Vertical mixed use should be encouraged, and may be required on larger sites.</p>	<p>Upgrade existing streetscape and building appearance, improve pedestrian and transit environment.</p> <p>Encourage structured parking and open space linkages where feasible; emphasize the enhancement of the pedestrian environment.</p>	<p>12-30 residential dwelling** units/acre</p> <p>Floor to Area Ratio-Per current Zoning Code: maximum of 0.5 to 1.0**</p> <p>** Residential density may be increased to 50 units per acre and 1.5 floor area ratio with the provision of a minimum of 20% of the dwelling units being for affordable housing as defined by the Metropolitan Council.</p>

** Floor-to-area ratio, or FAR, refers to the ratio of a building’s floor area to the size of its lot. Thus, an FAR of 1.0 could mean a two-story building covering 50% of the lot; a 3-story building on one-third of the lot, etc.

B. Figure 4.6B is amended as follows:



** Height may be increased to five stories & 63 feet if podium height is utilized on France and adjacent to low density residential area subject to review and approval of the City Council.*

ATTEST: _____
Debra A. Mangen, City Clerk

James B. Hovland, Mayor

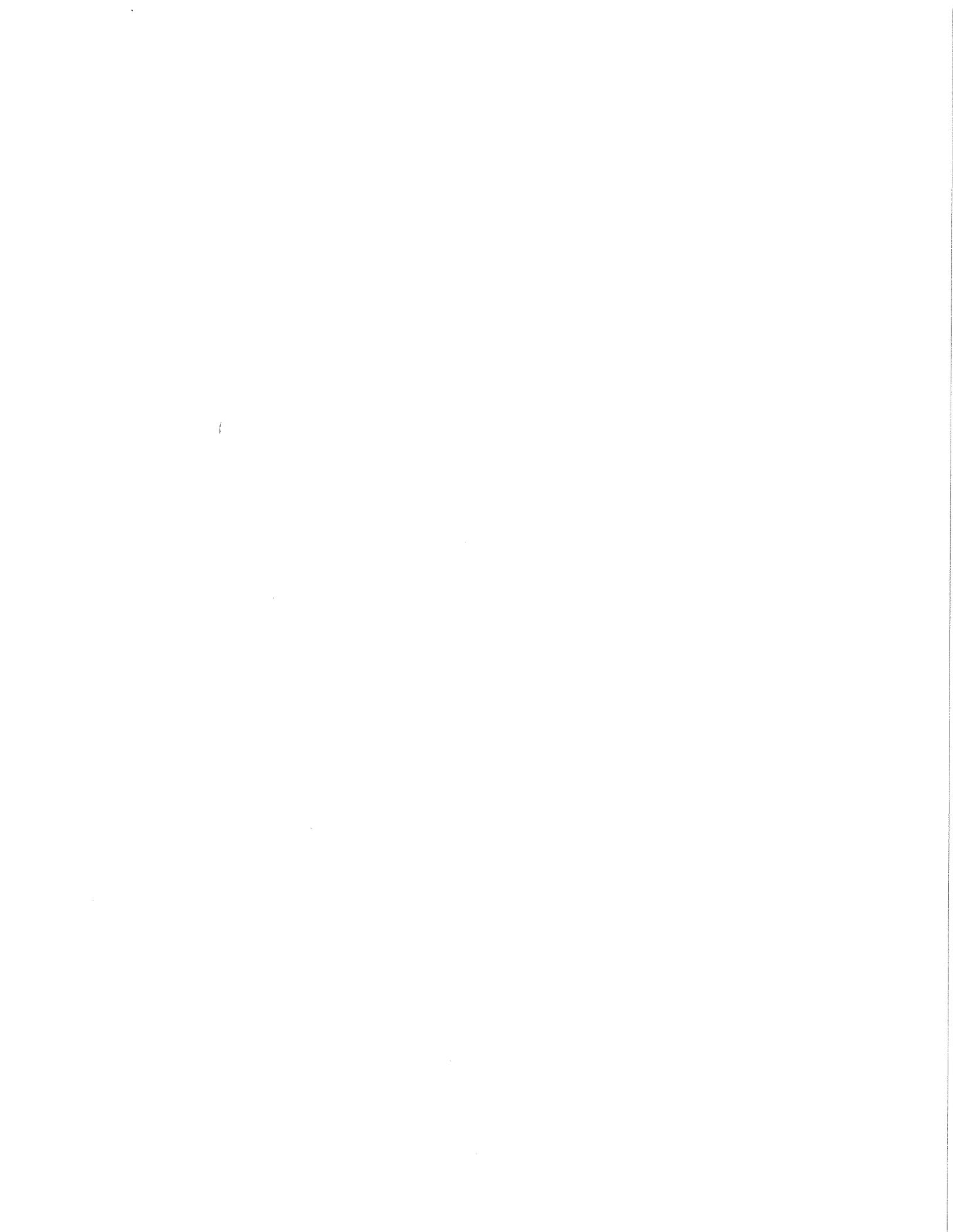
STATE OF MINNESOTA)
COUNTY OF HENNEPIN)SS
CITY OF EDINA)

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 December 16, 2014, and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this ____ day of _____, 2014.

City Clerk





RESOLUTION NO. 2014-151
RESOLUTION APPROVING A PRELIMINARY REZONING TO PUD, PLANNED UNIT
DEVELOPMENT AND PRELIMINARY DEVELOPMENT PLAN
FOR 7200 LLC, AT 7200 FRANCE AVENUE

Section 1. BACKGROUND.

1.01 7200 France LLC, is requesting to redevelop the property at 7200 France. The proposal is to tear down the existing office building on the site, and redevelop it with a four and five-story mixed use development project that would include the following:

- 160 unit luxury apartment, 32 units of which would be for affordable housing.
- 20,000 square feet of retail space including two restaurants and retail/office space.
- A two-level, 500 stall underground parking ramp.

The retail space would be located on the France Avenue side of the project. Access to the retail space would be off France Avenue. Access to the residential use would be off 72nd Street. The existing vegetation and trees on the west side of the site would remain to provide screening from the residential area to the west.

1.02 To accommodate the request, following land use applications are requested:

- Preliminary Rezoning from POD-1, Planned Office District to PUD, Planned Unit Development; and
- Preliminary Development Plan.

1.03 On November 12, 2014, the Planning Commission recommended denial of the Comprehensive Plan Amendments. Vote: 8 Ayes, 0 Nays.

1.04 On December 2, 2014, the City Council held a public hearing and authorized staff to prepare findings and conditions to approve the preliminary rezoning. Vote: 4 Ayes, and 1 Nay.

Section 2. FINDINGS

2.01 Approval is subject to the following findings:

1. The proposal would meet the purpose and intent of the PUD. Most importantly, the project would include 20% of its total units (32) for affordable housing, as defined by the Metropolitan Council.

2. 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 subject to conditions.
3. Wenck and Associates found that a residential development at the proposed density of 50 units an acre would generate fewer trips than would a City Code compliant medical office facility on a 3.5 acre property. Therefore, generally housing would have less impact on roads than would medical office.
4. The proposed uses are consistent with the Comprehensive Plan. The site is guided in the Comprehensive Plan as "Office Residential - OR," allows multiple family residential development with limited retail.
5. Podium height would be used on both France and from the residential area to west. Podium height is encouraged in the Comprehensive Plan.
6. The proposed uses would fit in to the neighborhood. As mentioned, this site is guided OR, Office Residential which encourages mixing land uses, including limited retail and multiple family residential, on one site.
7. Access to a project with this type of density should occur off of France Avenue, or a local street that serves high density residential, office, retail, or industrial uses.
8. The project would create a pedestrian friendly development with extensive pedestrian paths planned for the site.
9. The project would include high efficiency mechanical equipment, appliances and electrical fixtures. Roof mounted photovoltaic panels for electrical energy generation are proposed. The applicant is pledging an energy savings 20% over current energy code requirements.
10. 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.
11. The city will work with the applicant to secure access off France Avenue for both the residential and retail portion of the project.
12. The proposed project would meet the following goals and policies of the Comprehensive Plan:
 - a. Building Placement and Design. Where appropriate, building facades should form a consistent street wall that helps to define the street and enhance the pedestrian environment.
 - b. Movement Patterns.
 - Provide sidewalks along primary streets and connections to adjacent neighborhoods along secondary streets or walkways.
 - A Pedestrian-Friendly Environment.

- c. Encourage infill/redevelopment opportunities that optimize use of city infrastructure and that complement area, neighborhood, and/or corridor context and character.
- d. Support and enhance commercial areas that serve the neighborhoods, the city, and the larger region.
- e. Increase mixed use development where supported by adequate infrastructure to minimize traffic congestion, support transit, and diversify the tax base.
- f. Increase pedestrian and bicycling opportunities and connections between neighborhoods, and with other communities, to improve transportation infrastructure and reduce dependence on the car.
- g. Incorporate principles of sustainability and energy conservation into all aspects of design, construction, renovation and long-term operation of new and existing development.
- h. 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.
- i. Provide affordable housing.
- j. Utilize podium height.

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. Curb cut access to the site (both residential and commercial) shall be off France Avenue. There may be a visitor access and parking off 72nd Street.
2. The building height limit shall be 63 feet.
3. The project must include indoor and outdoor bike amenities subject to review and approval at the time of final rezoning.
4. The retail uses for the site shall be determined at the time of approval of a PUD Ordinance.
5. Vegetation on the west side of the site shall remain as demonstrated on the preliminary plan. This area shall not be used for stormwater or flood plain storage.
6. The Final Development Plans must be generally consistent with the Preliminary Development Plans dated October 15 & 21, 2014.

7. The Final Landscape Plan must meet all minimum landscaping requirements per Chapter 36 of the Zoning Ordinance.
8. The Final Lighting Plan must meet all minimum landscaping requirements per Chapter 36 of the Zoning Ordinance.
9. Submittal of a complete sign plan for the site as part of the Final Development Plan application. Signage should include monument sign locations and size, way finding signage, and wall signage.
10. Compliance with all of the conditions outlined in the director of engineering's memo dated November 3, 2014.
11. The city will work with the applicant to secure access off France Avenue for both the residential and retail portion of the project.
12. twenty percent (20%) of the housing units (32) shall be designated for affordable housing as defined by the Metropolitan Council.
13. Sustainable design principles must be used. The project must include high efficiency mechanical equipment, appliances and electrical fixtures. Roof mounted photovoltaic panels for electrical energy generation are proposed. Attempts must be made meet an energy savings goal of 20% over state energy code guidelines. A plan of how standards are intended to be met must be submitted prior to issuance of a building permit.
14. Final Rezoning is subject to a Zoning Ordinance Amendment creating the PUD, Planned Unit Development for this site.

ATTEST: _____
Debra A. Mangen, City Clerk

James B. Hovland, Mayor

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

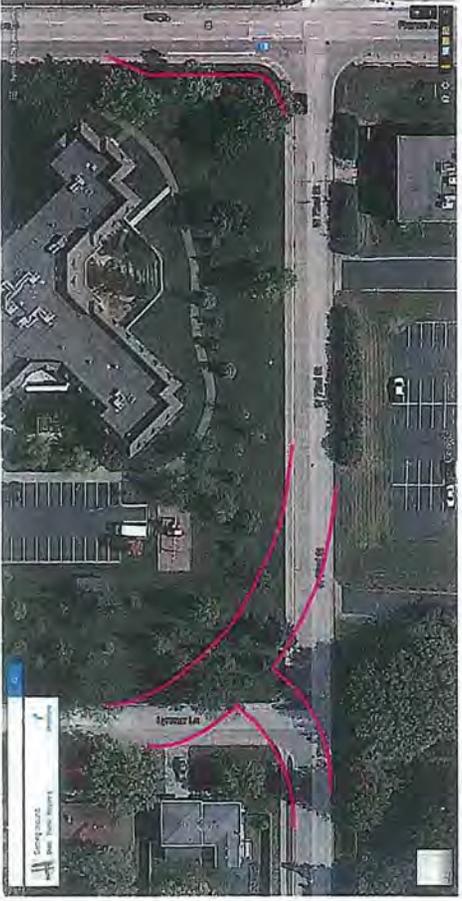
CERTIFICATE OF CITY CLERK

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 December 16, 2014, and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this ____ day of _____, 2014.

City Clerk

A



B



C



Jackie Hoogenakker

From: nealjblanchett@gmail.com
Sent: Friday, December 05, 2014 11:22 AM
To: Jackie Hoogenakker
Subject: 7200 France Proposal

Sent from Windows Mail

From: Mail Delivery Subsystem
Sent: Tuesday, December 2, 2014 3:16 PM
To: nealjblanchett@gmail.com

Delivery to the following recipient failed permanently:

jhoogenacker@edinamn.gov

Sorry, I tried to mail this prior to the last meeting but must have mis-typed your address. Please note my comments, below.

Hello,

We live in the Lake Edina neighborhood, and from my perspective, we would like to see more development and density on France Avenue near us. I feel that France Avenue is so busy and traffic-choked already, it truly illustrates the truism that cities cannot build themselves out of congestion. Part of the solution should be greater density, putting residents near jobs and amenities so that they do not need to drive to them. In particular I do not see the sense of keeping dense development on one side of France Avenue. The huge traffic burden already impacts both sides of the street. It would make more sense to have it be a dense corridor, linking nodes of especially high activity, allowing people to park their cars in one place and do many things in close proximity. France Avenue at rush hour is the most hostile place in Edina because of the cars speeding through in huge volumes. More density would add some cars, but it would also take some cars away, and it would allow the businesses near there to continue to thrive without adding the traffic that would be added by separating uses as we did in the decades past.

I haven't studied the 7200 proposal enough to be for or against it, but I would not object to it on the basis of density. It may have other flaws, but that area is already so traffic-choked, we need to route traffic TO, not THROUGH that area.

Thanks,

Neal Blanchett

Jackie Hoogenakker

From: Barbara Turner <islandbreezes9@gmail.com>
Sent: Sunday, December 07, 2014 8:50 PM
To: Jackie Hoogenakker
Subject: 7200 France Ave.

Please forward to:

Cary Teague
Mayor Hovland
Members of the City Council

You will have multiple opportunities to build PUDs - multi-family, affordable housing, retail, restaurants, office space, etc. - on the parcels along the west side of France Avenue south of 7200.

Those parcels do not abut a single-family neighborhood. 7200 does and it should not be 50% higher and three times denser than what is currently allowed.

Sincerely,

Barbara L. Turner
7315 Gloucester Dr.

Jackie Hoogenakker

From: Barbara Turner <islandbreezes9@gmail.com>
Sent: Sunday, December 07, 2014 8:31 PM
To: Jackie Hoogenakker
Subject: 7200 FRANCE

Please forward to Cary Teague, the Mayor and all members of the City Council.

After attending the City Council meeting on December 2, 2014, I have the following suggestions:

Eliminate the Planning Department and the Planning Commission because you ignore their advice. The Planning Department recommended denial of the proposed project at 7200 France which requires amendments to the Comprehensive Plan in three categories. The Planning Commission voted unanimously 8 - 0 to deny approval. Yet, in spite of all that AND overwhelming neighborhood opposition, you, the City Council, voted 4 - 1 to let it proceed. So, while you are at it, throw out the Comprehensive Plan because you obviously don't follow it either.

What is wrong here?

Sincerely,

Barbara L. Turner
7315 Gloucester Dr.
Edina, MN 55435
islandbreezes9@gmail.com

Jackie Hoogenakker

From: Barbara Turner <islandbreezes9@gmail.com>
Sent: Monday, December 08, 2014 2:43 PM
To: Jackie Hoogenakker
Subject: 7200 France project

Please forward to:

Cary Teague
Mayor Hovland
Members of the City Council

You seem to welcome and value the professional expertise of Harvey Turner as both a former city planner and private developer. In addition to those qualifications, HE LIVES IN THE NEIGHBORHOOD. He has lived in the Cornelia neighborhood for 26 years. He understands the neighborhood.

He opposes the proposed project at 7200 France Avenue. It is the wrong location for that development. So, when you vote to approve the proposed project, what will that say about what you think of Mr. Turner's advice?

Loud and clear: NOT MUCH.

Sincerely,

Barbara L. Turner
7315 Gloucester Dr.

Jackie Hoogenakker

From: Barbara Turner <islandbreezes9@gmail.com>
Sent: Wednesday, December 10, 2014 11:26 AM
To: Jackie Hoogenakker
Subject: 7200 France Avenue and Beyond

Please forward to:

Cary Teague
Mayor Hovland
Members of the City Council

Here is a vision for the west side of France Avenue between Hazelton and 76th Street. Picture a bike path separated by grass from a meandering walking path bordered by grass and trees, similar to the paths around Lake Harriet. Commercial buildings would be set back from the street, possibly with parking in the back with access from surface streets, not France Avenue.

This would soften and humanize France Avenue, a virtual highway which on the east side in the area has multiple buildings with solid walls close to the street pavement, e.g. West Elm, Byerly's and the Galleria. It does not feel like a walking street. It feels like "what's the fastest I can get from here to there?" The new message would be "This is where people live and slow down and enjoy their surroundings."

LET FRANCE AVENUE BREATHE!

Sincerely,

Barbara L. Turner
7315 Gloucester Dr.

Jackie Hoogenakker

From: melinda emerson <melindajemerson@gmail.com>
Sent: Tuesday, December 02, 2014 12:14 PM
To: Jackie Hoogenakker
Subject: 7200 France

Hi Jackie,

Please forward this email to Cary Teague, the Community Development Director, Mayor Hovland and all members of the City Council.

I am contacting you to oppose the proposed development at 7200 France Ave. My family resides at 7124 Heatherton Trl and we are very concerned about the increased traffic that will result from a development this size. When we made the decision to purchase our house we did so because we noted the minimal traffic that is on 72nd street. We have two young boys (1 year 4 years) and we value the quiet neighborhood.

I'm also concerned about the increased traffic on France Avenue that this construction may cause. We like to walk to Centennial Lakes, but the sidewalk configuration and traffic is already becoming a deterrent. The West side sidewalk of the block between 72nd Street and Gallagher is right next to the street. It is scary to walk with my children and dogs right next to cars zooming past at 40+ mph. This new development will only increase my concern with this part of the street. This development seems to counter the rest of the work being done to improve the street for pedestrians.

I understand the need to improve the property at 7200 France. My chiropractor practices in that building and it is very old and out of date. However, I agree with the Planning Commission that the proposed plan is not correct for the space. Especially concerning to me is the inclusion of restaurant space in the plan. Good restaurants can cause significant traffic and need for parking. I'm concerned about this overflow into our neighborhood in the evening and weekends.

Thank you,

Melinda Emerson

Jackie Hoogenakker

From: Darla Paulson <djpaulson005@gmail.com>
Sent: Tuesday, December 02, 2014 2:44 PM
To: Jackie Hoogenakker
Subject: 7200 France Proposed Zoning Changes

To: Community Development Director, Edina Mayor and members of the City Council
Attn: Jackie Hoogenakker

Please direct the following note to Cary Teague immediately prior to tonight's meeting.

We are concerned Edina residents regarding the proposed zoning changes to 7200 France Avenue. We believe the development proposed is way too ambitious for this site. The Byerly's huge construction is underway and that is more than enough building height and density for this block. Retail and restaurants will occupy this area and will certainly provide adequately for the area's needs now and in the future.

We worry that the proposal will add additional traffic to 72nd, a road used by many school children to and from elementary Cornelia School, on the corner of 72nd and Cornelia. It will disrupt what is otherwise a peaceful residential neighborhood.

Apparently these developers purchased this property before applying for appropriate licensing. Let's not let the developers run and rule our city and determine its future.

Please please please stick with your original Master Comprehensive Plan, and do not add to the already dense nature of this lovely area of Edina.

Thank you.

Darla and Gaylord Paulson
7212 Gloucester Dr.
Edina, MN 55435

Jackie Hoogenakker

From: Molly Portz <molly.portz@gmail.com>
Sent: Tuesday, December 02, 2014 3:27 PM
To: Jackie Hoogenakker
Cc: Tim Portz
Subject: Concerns with rezoning request for 72nd and France

Dear Jackie,

I am an Edina resident living at 72nd and Wooddale Avenue. I attended the planning commission meeting in November when the plans for the development of 72nd and France were presented. After attending the meeting I better understand the implications of rezoning this site and I implore the city council to reject the rezoning request and stick to the master plan. The planning commission heard the neighborhood's unanimous concerns and I hope the same is true for the City Council. I appreciate the opportunity to voice my concern.

Sincerely,
Molly Portz