

**MINUTES OF THE REGULAR MEETING
OF THE EDINA PLANNING COMMISSION
HELD ON WEDNESDAY, FEBRUARY 26, 1997, 7:30 P.M.
EDINA CITY HALL COUNCIL CHAMBERS**

MEMBERS PRESENT: Chair Johnson, McClelland, Byron, Swenson,
Bergman, Workinger, Ingwalson, Runyan,
Lonsbury

STAFF PRESENT: Kirs, Aaker, Fran Hoffman, Jackie Hoogenakker

I. APPROVAL OF THE MINUTES:

The minutes of the January 29, 1997 meeting were filed as submitted.

II. NEW BUSINESS

P-97-3 **Final Site Plan Approval
Phase II Office Building
Centennial Lakes
United Properties**

Zoning: **MDD-Mixed Development District**

General Location: East of France Avenue and North of Minnesota Drive

Ms. Aaker informed the Commission on September 5, 1996, the City Council approved a revised master plan for the undeveloped portions of the Centennial Lakes mixed use development. The plan includes five office buildings containing approximately 1,160,000 square feet. Total site area is roughly 25 acres and will include a storm water pond surrounded by a public park.

Continuing, Ms. Aaker explained the City Council on May 20, 1996, approved final site plan for Phase I of the revised master plan. The first phase called for a six story 130,000 square foot building located in the southwesterly portion of the site near the intersection of Minnesota Drive and France Avenue.

Phase I included a 1 story 10,000 square foot restaurant to be attached to the first and second building (Phase II).

Ms. Aaker explained the proponents have submitted an application and are requesting Final Site Plan approval for Phase II of the development for a six story office building of approximately 130,000 square feet. Phase II building will be located near the intersection of West 76th Street and France Avenue and will be connected to the restaurant attached to the Phase I building already under construction. The proposed Phase II building will be a twin in height, scale, design and finish materials of the Phase I building. Upon construction of the Phase II building the City will commence construction of the storm water pond and park improvements to the edges of the phased development.

Ms. Aaker concluded Phase II office building plans are consistent with the approved overall master plan. Staff recommends approval.

Mr. Rick Martens, representing the proponent United Properties was present to respond to questions. Mr. Tom Harwyth and Mr. Jim Benshoof were also present.

Commissioner McClelland asked Ms. Aaker where the proposed tramway is to be routed. Ms. Aaker responded the tramway will be routed along the interior of the site.

Mr. Martens introduced himself to the Commission along with Tom Harwyth, and Jim Benshoof. Continuing, Mr. Martens told the Commission the Phase I office building is already 90% committed, adding United Properties is very pleased with the response from the market.

Commissioner Runyan questioned when the pond will be constructed. Ms. Aaker said construction will begin on the pond in conjunction with the completion of Phase II.

Commissioner Swenson questioned if the proposed parking is adequate for the building. Ms. Aaker responded parking is more than adequate, in fact the second building has more parking than required.

Commissioner Runyan asked if anyone knows when the tramway will be on-line and operating at its intended capacity. Mr. Martens said the tramway is proposed to be operational when the entire project is completed.

Commissioner Byron moved to recommend final site and development plan approval subject to; location of the West 76th curb cut, the implementation of the size, shape and capacity of the storm water pond in conjunction with the completion of phase II, setbacks for the proposed parking and location of the lots and ramps remain as originally approved, and like materials are used on the

Ms. Aaker reported the Zoning Ordinance requires parking at a rate of one space for each 200 square feet of floor area for general retail. At this rate the new building would create a parking demand of 128 spaces. The four theatres in the proposed building have a total of 798 seats. In the context of 50th and France, the theatre is considered part of a shopping center for parking purposes. At one space for each 10 seats, the theatre creates a demand for an additional 80 parking spaces.

Ms. Aaker advised the Commission in addition to the skyway connection to the existing theatre, a key element of the proposal is a canopy over the pedestrian walkway connecting the parking ramp to 50th Street. A similar canopy was included in the plan approved last year. The canopy would be a joint venture between the City's HRA and Edina Properties.

Ms. Aaker explained the proposed building is 47.5 feet in height, which is the same height as the adjacent theatre. The building complies with the four story height limit of the PCD-2 district.

Ms. Aaker pointed out the proposed building would be brick with precast concrete accents. Noting, this is similar to materials proposed for the building considered in 1996. At the pedestrian level the building will look quite similar to the earlier plan.

Ms. Aaker stated staff recommends approval of the proposed Final Development Plan. The proposal is consistent with the 50th and France Redevelopment Plan. The proposed plan actually reduced total parking demand when compared to the earlier three and four story proposals. It also shifts greater than one-half of the new demand to off-peak times. The building is attractive and will be an asset to the corner.

Ms. Aaker concluded staff recommends the following conditions to approval:

1. Modification of plan to conform with Engineering Department recommendations.
2. Payment of parking assessment for use of public parking.
3. Development Agreement with HRA covering canopy

Mr. John Pazahanick, Marty Rude, and Mr. Vebeck were present representing Edina Properties

Chair Johnson asked Ms. Aaker the rationalization behind the ordinance requiring only 1 space per 10 seats. Continuing, Chair Johnson said it has been his experience (especially on weekends) that the south ramp is full, observing the 1 per 10 appears not to work.

Ms. Aaker said in a situation where there is other retail adjoining a theatre the formula is one space per 10 seats and one space per 200 square feet. Continuing, Ms. Aaker explained if this theatre was a free-standing theatre the formula would be different, a 3-1 ratio.

Commissioner Swenson asked if the ramp is monitored, and if counts are taken, is the lower level contract parking included. Ms. Aaker said there is a ramp monitor, adding the contract parking is not included. Commissioner Swenson suggested that the City should consider allowing the contract spaces to be used by patrons on the weekends.

Ms. Aaker said that is a possibility, pointing out employees do work during the daytime on weekends, adding on weekends there is no enforcement of the contract or hourly parking spaces.

Chair Johnson interjected with the addition of four new screens, retail, and a restaurant he believes there may be potential parking problems.

Ms. Aaker agreed the south ramp is heavily used by theatre goers on the weekends, but if one looks at the other ramps parking spaces are available.

Chair Johnson said that may be correct, but in his experience when an individual(s) goes to the theatre they park in the south ramp, and they have no way of knowing if the ramp is full unless you drive through it. Chair Johnson suggested the possibility of installing a ramp full sign directing patrons to the other ramps if full. Concluding, Chair Johnson said he does not want to see congestion and stacking problems. Chair Johnson asked Mr. Hoffman, City Engineer if a sign would be feasible. Mr. Hoffman said that is a possibility.

Commissioner McClelland agreed with Chair Johnson's observation and pointed out the restaurant could also add congestion to the south ramp because of its proximity to it. She commented that many individuals may want to eat before or after they view a movie.

Commissioner Ingwalson said in his opinion for this project to work parking is the key. Continuing, Commissioner Ingwalson said in studying the plans the theatre may be the most appropriate use because the traffic generated by a theatre is usually heavy during the evenings during off-peak hours.

Chair Johnson stated he is not opposed to the plan, but feels steps need to be implemented to ensure that the ramps work efficiency by finding ways to move cars in and out in an orderly fashion and directing vehicles to other ramp locations if the south ramp is full.

John Pazahanick said all three ramps are carefully monitored, and it is believed there is adequate parking to accommodate the proposal. He

acknowledged all parking demands can not be accommodated at the south ramp.

Chair Johnson asked how do we inform patrons the south ramp is full. Mr. Pazahanick said a ramp full sign may work.

Commissioner Swenson questioned if it is also possible to inform patrons they can park in the contract parking area during certain hours with signage?

Chair Johnson asked Mr. Pazahanick when Edina Properties proposes to begin construction. Mr. Pazahanick said they would like to begin construction May 1st.

Mr. Marty Rude introduced himself and acknowledged parking in the 50th and France Avenue area is always an issue. Mr. Rude acknowledged that on Saturdays the south ramp is usually full, but if you know the area you know there are other areas to park. Mr. Rude said signage may be something that could be implemented indicating the location of the other ramps.

Commissioner McClelland directed a question to Mr. Hoffman inquiring if structurally the south ramp and the TCF ramp could handle another level. Mr. Hoffman responded the south ramp and the TCF ramp are at maximum. Continuing, Mr. Hoffman said there is the possibility of adding another level to the north ramp, but pointed out the north ramp abuts residential properties.

Chair Johnson interjected someone (City staff, 50th and France Association?) needs to agree to meet and find solutions to solve the potential parking problems. Mr. Hoffman agreed, he recommended parking should be studied and recommendations made to the City by the 50th and France Parking Committee.

Commissioner Swenson asked who decides on the contract parking? Mr. Hoffman said the contract parking is decided by the 50th and France Avenue Association/Parking Committee.

Commissioner Workinger asked Mr. Hoffman how the permits are assessed. Mr. Hoffman responded stickers can be purchased by individual employees, and there is also an annual assessment paid for by the businesses.

Commissioner Ingwolson questioned how the City determines the assessment. Mr. Hoffman said it is assessed by square footage.

Commissioner Workinger commented in his opinion the proponent should solve the parking problems.

Mr. Rude interjected when the ramps were constructed they were constructed to address the undeveloped areas.

Commissioner Workinger asked Ms. Aaker if this were a freestanding theater how would parking be calculated. Ms. Aaker said the requirement would be one parking space per three seats.

Commissioner McClelland said she believes the parking study/survey is probably correct except for Saturdays. Mr. Rude said usually the south ramp is only operating at slightly over 50%. Chair Johnson interjected if the theatre would have two strong movies running at the same time it is a real possibility the ramps would fill to capacity. Continuing, Chair Johnson said that while he is not opposed to the proposal his point is that there is no way to educate people to go to different ramps if the south ramp is full.

Commissioner McClelland asked Mr. Rude when the parking committee next meets. Mr. Rude said the parking committee next meets on March 12th. Commissioner McClelland suggested at the next meeting they consider the contract parking area, and ways to direct traffic from the south ramp if full.

Mr. Perry Anderson, 6613 Sally Lane and a business owner at 50th and France said he has concerns regarding parking. He added he is not opposed to the expansion, but noted the current four screen theatre creates congestion on the weekends, especially Saturday, and with the addition of four new screens, and a restaurant he has some concerns.

Commissioner Workinger asked Mr. Hoffman what the Minneapolis side of France is doing to reduce parking demands on the Edina side. Mr. Hoffman said Minneapolis is implementing measures to try to limit parking on their residential streets, and are also looking at purchasing some single family homes to create parking areas. Mr. Hoffman pointed out the Minneapolis side has limited parking options and abuts single family homes, which creates a struggle between commercial and residential to gain more commercial parking spaces.

Commissioner Ingwalson said if the ramps were constructed with a 1.5 F.A.R. and the proposal meets the 1.5 F.A.R., the ramps may be able to handle the expansion. Commissioner Ingwalson asked Mr. Hoffman if the ramps could be revisited for counts. Mr. Hoffman reiterated the ramps are presently monitored, but we will have staff revisit the area in the evenings and weekends to do a parking count.

Chair Johnson reiterated in his opinion the 1-3 ratio should be applied here.

Commissioner Swenson pointed out the stairs, and tunnel/walkway are not at the same grade, observing something will need to be done to eliminate

this grade change. Mr. Hoffman said that is correct. Continuing, Mr. Hoffman said it can be made to match grade, accommodate pedestrians, and meet ADA standards.

Commissioner Workinger asked Mr. Pazahanick if Edina Properties (Lunds) is going to purchase the theatre from Cineplex. Mr. Pazahanick said at this time negotiations are taking place for Edina Properties to acquire the theatre.

Commissioner Runyan asked Mr. Pazahanick what the rationale is for four more theatres. Mr. Pazahanick said this theatre is very successful, and when first run movies are playing people are turned away. Mr. Vebeck interjected explaining if you have more screens you can successfully bid for the “top movies” and get them.

Commissioner Workinger asked where there are other theatre locations that have eight screens. Ms. Aaker said in Edina, Centennial Lakes has eight screens

Mr. Vebeck, said presently eight screens is standard in the industry

Commissioner Ingwalson moved to recommend Final Development Plan approval subject to staff conditions. Commissioner Swenson seconded the motion. Ayes, Swenson, Bergman, Runyan, Ingwalson, Lonsbury, McClelland, Johnson. Nays; Byron, Workinger. Motion carried 7-0.

Commissioner Ingwalson moved to recommend that the City address the parking at 50th and France Avenue and explore possible metering of cars when ramps are full to re-direct parking. Commissioner Swenson seconded the motion.

No action taken.

Commissioner McClelland said that while she agrees that something needs to be done to ensure parking is adequate she does not believe it is the responsibility of the City to correct problems. Commissioner McClelland suggested the Commission pass a resolution expressing our parking and circulation concerns on to the Council.

Commissioner Workinger suggested a Proof --of-Parking Agreement for the proponent. Commissioner McClelland pointed out the only parking available is public, so a proof of parking would be hard to accomplish. Commissioner McClelland suggested that the 50th and France Avenue merchants discuss this matter with City input and work out a solution.

Commissioner Runyan said we may be presuming a problem will exist. He pointed out most of the heavy traffic will occur during the off-peak hours for retail merchants.

Commissioner Byron said he is excited by the redevelopment, but is worried about the small merchants within the 50th and France Avenue area. He said it is important to create the right balance in this area, and in his opinion parking is the key to keep the shopping area viable.

Mr. Anderson said he also shares the concerns mentioned by Commissioner Byron, and pointed out in the area there are only 700 parking spaces. Mr. Hoffman interjected the ramps contain about 1000 parking spaces.

Commissioner McClelland moved to recommend a resolution informing the Council of the concerns of the Commission. Commission concerns focus on maintaining the proper balance within the 50th and France Avenue District. Acknowledging there may be parking problems as a result of this development, suggesting that measures be implemented to ensure that patrons of the area are made aware of the location of all ramps, and if possible ramps should be metered to indicate when they are full. The City should also meet with the 50th and France Avenue Traffic Committee and it's merchants to discuss and find solutions to possible traffic control and parking problems that may arise as a result of this development. Commissioner Ingwalson seconded the motion. All voted aye; motion carried.

III. OTHER BUSINESS:

Ordinance Amendment - Telecommunication Antenna

Ms. Aaker explained to Members of the Commission that prompted by changes that are occurring with telecommunication facilities such as the introduction of cellular and personal communication services (PCS), City Staff is proposing to amend Section 815 of the Zoning Ordinances regulating antennas.

Mr. Aaker informed the Commission the Federal Communications Commission (FCC) Tele-communications Act of 1996 contains important provisions concerning the placement of antenna structures and other facilities for use in providing personal wireless services. In addition, the FCC has been and will continue to allocate spectrum on an ongoing basis for the purposes of cellular and broadband PCS. Currently, there are two licensed entities providing cellular services, and six broadband PCS licenses have now been issued for personal communication services. Ms. Aaker explained that multiple inquiries regarding Section 815 of the Zoning Ordinance by carriers and those representing them has prompted City Staff to review the antenna ordinance given the potential for ever increasing location and permit requests.

Ms Aaker concluded the purpose of the amendment is to:

- Define personal wireless telecommunication services to differentiate cellular/ PCS from land line public utility service.
- Restrict attachments to all antenna and establish design requirements for cellular/ PCS towers.
- Prohibit commercial use towers in the lower density zoning districts; R-1, R-2, PRD-1, PRD-2 and further restrict towers and ground mounted antennas in the PRD-3, PRD-4, PRD-5. PSR-3 and PR-4 zoning districts.
- Adjust height and setback requirements while introducing proximity to other tower and co-location requirements to promote the grouping of antennas and to hopefully avoid the proliferation of cellular and PCS antennas throughout the City.
- To provide variance criteria requiring that cellular/PCS variance requests include information prepared by a qualified professional engineer.

Members from the communications industry, Mr. Coyle and Mr. Littlejohn were present to respond to the proposed ordinance changes.

Commissioner McClelland questioned if cellular phones and PC's can go on the same tower. Ms. Aaker responded it is her understanding that generally they can.

Mr. Coyle interjected there are different technical qualifications for these systems and there are co-locations in place that are compatible, but not all are compatible. Continuing, Mr. Coyle said there is a commitment in the industry to co-locate when possible.

Commissioner Runyan asked what the poles look like if there is co-location. Mr. Coyle said usually there is monopole with dual antenna eight to ten feet in height. The antenna usually has a six inch diameter and juts out around ten feet. Continuing, Mr. Coyle said they have towers as high as 165 feet in rural areas, but in urban areas towers usually are between 100-125 feet.

Commissioner McClelland asked the representatives if possible is their first choice to co-locate on a roof or other type of existing tower. Mr. Coyle said that is preferable.

Commissioner McClelland asked Mr. Coyle the base dimension of a tower. Mr. Coyle said a tower base is usually 12 to 14 feet in diameter.

Commissioner Runyan asked what type of equipment is needed to support a freestanding tower. Mr. Coyle said a freestanding tower is supported by a utility box with a chain link fence surrounding it.

Commissioner Ingwalson asked how co-location is encouraged. Mr. Coyle said his client has an agreement to co-locate when possible with Sprint, adding usually other companies have similar agreements.

Mr. Littlejohn said in his opinion co-location is at the meat of this issue. Continuing, he said in the past it has been their goal to co-locate on another structure, like a roof top or water tower. Mr. Littlejohn presented to the commission photos of water towers with antenna mounts on them. He explained the antenna is usually painted to match the color of the water tower, indicating on the photos the antenna can not be easily noticed.

Commissioner Byron asked the range between towers, using a 125 foot tower as an example. Mr. Coyle said an 125 foot tower may only serve a 1 square block area, depending on if there are obstacles in the way.

Commissioner McClelland asked Ms. Aaker how the City is approaching this ordinance, and who is drafting it. Ms. Aaker explained City staff, is reviewing information from the League of Cities, and are making changes to the ordinance.

Commissioner McClelland pointed out this area is very technical for the Commission to grasp, and in her opinion, the City may need more time and input from the industry before an ordinance that will work can be drafted. Commissioner McClelland asked Ms. Aaker if staff is willing to sit down with members of the industry to obtain their input. Ms. Aaker said that is an option.

Commissioner McClelland asked Ms. Aaker how the City feels about co-locating on a water tower. Ms. Aaker explained Mr. Hoffman, City Engineer does not want anyone besides City employees to have access to City towers.

Commissioner Workinger asked if the variance process would be triggered if an operator desired something above and beyond what our ordinance allows. Ms. Aaker responded the variance process is an option if needed.

Commissioner Byron said in his opinion it is reasonable to incorporate into the new ordinance some type of language that encourages co-locations. Ms. Aaker agreed.

Chair Johnson said in his opinion he agrees with Commissioner McClelland that the proposed ordinance changes are very technical, and suggested that this hearing be held over for at least 30 days to allow the members of the industry to meet with staff.

Commissioner McClelland agreed, she said in her opinion a vote on this issue this evening is premature. There is so much information to digest.

Commissioner Swenson agreed, and commended staff on their work thusfar.

Commissioner Ingwalson interjected he encourages the industry to co-locate on existing towers and buildings whenever possible, echoing Commissioner Byron that he wants the new ordinance to encourage co-location.

Commissioner McClelland suggested asking the Council to consider moratorium. She pointed out this is a very important issue that has impact on each and every resident and should be studied carefully to achieve an ordinance that can be enforced.

Commissioner McClelland moved to recommend that this item be held over to the next regularly scheduled Commission meeting (or later), and recommending that the City Council consider a resolution imposing a moratorium (30-60 days?) preventing the installation of towers, and antennas while changes to the ordinance are being studied. This resolution would allow time for staff to work with members of the industry to achieve the best possible ordinance, one that would work. Commissioner Workinger seconded the motion. All voted aye; motion carried.

IV. ADJOURNMENT:

The meeting adjourned at 10:30 p.m.

Jackie Hoogenakker